

FIRE BOARD OF APPEALS AGENDA



MEETING DATE May 11, 2018

TIME: 8:30 A.M.

LOCATION: Pikes Peak Regional Building Department
2880 International Circle – Hearing Room

CALL TO ORDER

ADMINISTRATIVE

1. Review of Previous Meeting's Minutes

Fire Board of Appeals Meeting Minutes dated March 9, 2018

2. Contractor Licensing

A. Fire Alarm Contractor (FAC) A

- i. Name of Company: Stilson Electric Service Inc
- Owner: Shawn Stilson
- Licensee: Shawn E. Stilson
- RME: Shawn Stilson

3. Appeals

- A. Request by Robert J. Corry, Jr., on behalf of Academy Tower Plaza Suite 221, for relief of International Fire Code (2009 Edition) as amended; Section 111 Stop Work Order; subsection, 111.4 Failure to comply. Any *person* who shall continue any work after having been served with a stop work order, except which work as that *person* is directed to perform to remove a violation or unsafe condition, shall be liable to a fine of not less than [AMOUNT] dollars.

Location: 221 North Academy Boulevard, Colorado Springs, Colorado

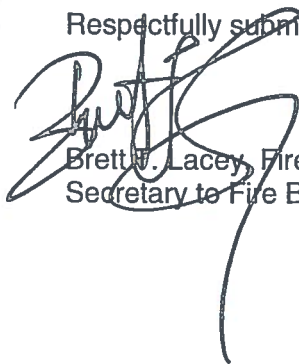
- B. Request by Mira Theisen, on behalf of Colorado Springs Olympic Training Center Velodrome, for relief of International Fire Code (2009 Edition) as amended; Section 903 Automatic Sprinkler Systems; subsection, 903.2.1.4 Group. An *automatic sprinkler system shall be provided for Group A-4 occupancies where one of the following conditions exists:*

- 1. The *fire area* exceeds 12,000 square feet (1115m²).
- 2. The *fire area* has an *occupant load* of 300 or more.
- 3. The *fire area* is located on a floor other than a *level of exit discharge* serving such occupancies.

Location: 250 South Union Boulevard, Colorado Springs, Colorado

ADJOURN

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Brett W. Lacey", written over the typed name.

Brett W. Lacey, Fire Marshal
Secretary to Fire Board of Appeals



FIRE APPLICATION CONTRACTOR AND INSTALLER CHECK LIST

COMPANY NAME: Stilson Electric Service Inc.
PRINCIPAL: Shawn Stilson LICENSE HOLDER: Shawn Stilson
RME: Shawn Stilson RECOMMEND:

☒ APPROVAL ☐ DISAPPROVAL

DATE 4/13/18

LICENSE APPLYING FOR:

FSC-A FSC-B FSC-C FSC-D FSC-H FSC-M FAC-A FAC-B
FAI FSI FSI-L FST-B FST-C FST-D FHT

PPRBD INFORMATION	NAME	DATE
RECEIVED BY PPRBD	<u>Rose</u>	<u>4-10-18</u>
CRIMINAL BACKGROUND CHECK	<u>Rose</u>	<u>4-10-18</u>
SENT TO FIRE	<u>Rose</u>	<u>4-10-18</u>

DEPARTMENT	NAME	DATE
CSFD	Chip	4/13/18

COMMENTS:

Name Change From CO ID 18989
SOS Documents included
Upgrade License FAC-B to FAC-A

PPRBD LICENSING

Phone: 719-327-2887

Fax: 719-327-2626

Email: Licensing@pprbd.org

FIRE

Phone: 719-385-5982

Fax: 719-385-7330

Email: Fireconstructionservices@springsgov.com

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Suppression Installer

- ☐ Satisfactory completion of the ASCR2 exam every 3 years.
- ☐ Minimum of 2 years work experience in fire sprinklers/standpipes.

Suppression Installer Limited

- ☐ Satisfactory completion of the ASD2 exam every 3 years.
- ☐ Minimum of two years' work experience in single-family multipurpose fire sprinkler systems.
- ☐ State of Colorado Plumber license

Service Technician - B

- ☐ Satisfactory completion of the FEX and CKH2 OR KHFE2 exam every 3 years.
- ☐ Minimum 2 years' experience OR factory training (include copy of certificate)

Service Technician – C

- ☐ Satisfactory completion of the FEX exam every 3 years.
- ☐ Minimum 2 years' experience OR factory training (include copy of certificate).

Service Technician - D

- ☐ Satisfactory completion of the FEX exam every 3 years.
- ☐ Minimum 2 years' experience OR factory training (include copy of certificate).

Fire Hydrant Technician

- ☐ Satisfactory completion of the CTFH2 exam every 3 years.
- ☐ Minimum 2 years' experience.

Fire Alarm On-Site Installer

- ☐ Current and valid NICET Level II or higher certificate OR satisfactory completion of FA2 exam every 3 years
- ☐ Documentation of minimum 2 years' experience.

Fire Alarm Contractors – A

- ☒ RME w/ Current NICET Level III or IV certificate in Fire Alarm Systems or a Colorado Registered PE
- ☒ Certificate of Liability and Workers' Compensation insurance.
- ☒ Documentation of minimum 5 years work experience.

PIKES PEAK REGIONAL BUILDING DEPARTMENT

Fire Alarm Contractor License Application

It is requested that the Fire Board of Appeals of the Colorado Springs Fire Department consider this application for the state license in compliance with the Pikes Peak Regional Building Code.

FIRE ALARM CONTRACTOR LICENSE REQUESTED (check one)

☒ FAC-A ☐ FAC-B

RBD USE ONLY

Date 4-10-18

Initial RS

Receipt # 1492973

RBD #

Business Information

Type of Entity (check one) ☐ Individual ☐ Partnership ☒ Corporation ☐ LLC

Business Name: Stilson Electric Service INC

(The business name is the name that will appear on the license and is the actual name under which the contracting business will operate.)

State of Colorado Business License Number: 20181058471

Business Address: 5484 N Buckpass Dr

Street Address

Apartment/Unit #

Colorado Springs

City

CO

State

80917

ZIP Code

Business Phone: 719-428-

Business Email: Shawn@StilsonElectric.com

Business Fax: _____

Business Website: StilsonElectric.com

Company's Principal Officers, Partners or Owners

Name: Shawn Stilson

Title: Owner

Name: _____

Title: _____

1. Number of years company has operated as a contractor? (if new, write "new") 2008

2. Type of work performed? (check one or both, if applicable) ☐ Residential ☒ Commercial

3. Has the company ever been named in or responsible for any entered and unsatisfied judgments, liens, and/or claims against them in which the company was the contractor? ☐ Yes ☒ No If yes, Explain _____

4. Has the company been a defendant in a collection action court case? ☐ Yes ☒ No If yes, Explain _____

5. Has the company ever declared bankruptcy? ☐ Yes ☒ No If yes, Explain _____

6. Has the company ever had a license suspended or revoked? ☐ Yes ☒ No If yes, Explain _____

7. Has the company ever defaulted on a contract? ☐ Yes ☒ No If yes, Explain _____

Licenses held by the Company

Jurisdiction - License type and number

Jurisdiction - License type and number

<u>NICET III</u>	<u>122868</u>	<u>State of CO ME.</u>	<u>0030173</u>
<u>PPRBD EC</u>	<u>18989</u>	<u>Denver FA Installer</u>	<u>834907</u>
<u>PPRBD FA Installer</u>	<u>10906</u>		

Project History (List projects in which this company worked as the contractor.)

1. Project Street Address: 700 Conejos st, Colorado Springs CO

Type of work (check one) ☐ Residential ☒ Commercial

Cost: 100,000 Date: 5-2012 Your position: Owner/installer

Describe Job in detail: Linear heat detection & Fire Alarm Notification (Simplex)

2. Project Street Address: 125 El Pamar Rd, Colorado Springs CO

Type of work (check one) ☐ Residential ☒ Commercial

Cost: 130,000 Date: 12-2013 Your position: owner installer

Describe Job in detail: Hotel Complete Remodel (Simplex)

3. Project Street Address: 1717 Denver West Blvd, Golden CO

Type of work (check one) ☐ Residential ☒ Commercial

Cost: 100,000.00 Date: 2-2014 Your position: owner/installer

Describe Job in detail: Hotel Remodel total FA system Replacement ^(Simplex)
520HZ
Sounders

4. Project Street Address: School: 9350 Teddy lane, Lone Tree CO

Type of work (check one) ☐ Residential ☒ Commercial

Cost: 30,000 Date: 3-2017 Your position: owner/installer

Describe Job in detail: Voice System with AOR Non proprietary ^(Silent Knight)

5. Project Street Address: 325 S Parkside Dr, Colorado Springs CO

Type of work (check one) ☐ Residential ☒ Commercial

Cost: 30,000 Date: 6-2016 Your position: owner/installer

Describe Job in detail: Existing System: Convert to Simplex, Bring to Current Code

CERTIFICATION (The following declaration is to be signed by the principal officer of the company) The undersigned, on behalf of the company, partnership or corporation, does hereby declare and warrant that the "examinee" for a contractor's license named herein has the express authority to bind the company, partnership, or corporation by this application; and further, the company does hereby agree to abide by the ordinances and regulations promulgated by the city of Colorado Springs, El Paso County, and those adopted by the municipal entities within El Paso County in regard to any work which may be performed by our company pursuant to the contractor license for which this application is made.

Print name and title (owner, principal or manager) Shawn Stilson

Signature: [Signature] Date: 4-9-18

Licensee Information

Legal Name: SAME AS RATE Stilson Shawn E
Last First M.I.

Date of Birth: 10-26-77 Social Security Number: [REDACTED]

Address: 5424 N Buckskin Pass Dr
Street Address
Colorado Springs CO 80917
City State ZIP Code

Phone: 719-271-6519 Fax: NA Email: Shawn@StilsonElectric.com

- What is your area of expertise in the industry? owner/installer
- How long have you worked in the industry? Electrical since 2002 Fire Alarm 2004
- What is your affiliation with the company? (Owner, partner, employee, etc.) owner
- Have you ever been convicted of a misdemeanor or felony? ☐ Yes ☒ No If yes, Explain _____
- Have you had a license suspended or revoked? ☐ Yes ☒ No If yes, Explain _____
- The examinee understands that direct supervision and control includes any one or a combination of the following activities: supervising, managing construction activities by making technical and administrative decisions, checking jobs for proper workmanship, or direct supervision on job sites. Will you, as the qualifying individual, perform one or more of these duties? ☐ Yes ☐ No

Certifications

NICET #	NICET Level	Expires
<u>122268</u>	<u>III</u>	<u>5-1-2020</u>
P.E. #	Issued	Expires
D.O.T. #	Issued	Expires

Work History

Company	Position	To	From
<u>SS Electric LLC</u>	<u>owner</u>	<u>Present</u>	<u>3-2008</u>
<u>I.E.S R. vera</u>	<u>Fire Alarm/ Electrician</u>	<u>2-2008</u>	<u>3-2007</u>
<u>Kenny Electric</u>	<u>" "</u>	<u>3-2007</u>	<u>5-2005</u>

CERTIFICATION (The following declaration is to be signed by the Licensee) Pikes Peak Regional Building Department requires all persons seeking a license to undergo a Criminal Background Check. I hereby authorize Pikes Peak Regional Building Department to perform a Criminal Background Check utilizing information provided on this application. I agree and understand Pikes Peak Regional Building Department may deny me a license after reviewing my Criminal Background Check. If any information provided on this application is untrue, license granted to me is automatically revoked.

Print name & title (Licensee): Shawn Stilson

Signature of (Licensee): [Signature] Date: 4-9-2018

Responsible Managing Employee (RME) Information

Legal Name: Stilson Shawn E
Last First M.I.

Date of Birth: 10-26-77 Social Security Number: [REDACTED]

Address: 5424 N Buckskin Pass Dr
Street Address
Colorado Springs CO 80917
City State ZIP Code

Phone: 719-271-6519 Fax: NA Email: Shawn@stilsonelectric.com

1. What is your area of expertise in the industry? Master Electrician / Fire Alarm installer
2. How long have you worked in the industry? Electrical since 2002 Fire Alarm 2004
3. What is your affiliation with the company? (Owner, partner, employee, etc.) Owner
4. Have you ever been convicted of a misdemeanor or felony? ☐ Yes ☒ No If yes, Explain _____
5. Have you had a license suspended or revoked? ☐ Yes ☒ No If yes, Explain _____
6. I, the undersigned, do hereby submit application for the stated contractor's license as the RME (Responsible Managing Employee) or Licensee for the firm named herein. I do hereby expressly represent, and warrant, that I am acting in capacity of the RME/Licensee of said firm; and I hereby agree to accept the responsibilities for said company's and my own actions in connection with the contractor's license that may be granted. ☐ Yes ☐ No

Certifications

NICET #	NICET Level	Expires
<u>122268</u>	<u>III</u>	<u>5-1-2000</u>
P.E. #	Issued	Expires
D.O.T. #	Issued	Expires

Work History

Company	Position	To	From
<u>SS Electrical LLC</u>	<u>owner</u>		<u>3-2008</u>
<u>IES Rivera</u>	<u>Fire Alarm Electrician</u>	<u>2-2008</u>	<u>3-2007</u>
<u>Kenny Electric</u>	<u>" "</u>	<u>3-2007</u>	<u>5-2005</u>

CERTIFICATION (The following declaration is to be signed by the RME) Pikes Peak Regional Building Department requires all persons seeking a license to undergo a Criminal Background Check. I hereby authorize Pikes Peak Regional Building Department to perform a Criminal Background Check utilizing information provided on this application. I agree and understand Pikes Peak Regional Building Department may deny me a license after reviewing my Criminal Background Check. If any information provided on this application is untrue, license granted to me is automatically revoked.

Print name & title (RME): Shawn Stilson

Signature of (RME): [Signature] Date: 4-9-2018



Stilson Electric Systems Inc
5424 N Buckskin Pass DR
Colorado Springs, CO 80917
(719) 271-6519
shawn@stilsonelectric.com

April 10, 2018

Pikes Peak Regional Building Department
Colorado Springs Fire Department
2880 International Circle
Colorado Springs, CO 80910

RE: Employment Status

To Whom it May Concern,

This letter is to confirm that Shawn E. Stilson is a full-time, exclusive employee at Stilson Electric Systems Inc. Please feel free to contact me with any questions or concerns. You may also contact our Human Resources Department at (719) 286-8571 or mary.sselectrical@gmail.com.

Best Regards,

Shawn E. Stilson
President
Stilson Electric Systems Inc.

COLORADO DL

DRIVER LICENSE



1-10-10 to 9-10 90% Electrical 10% Fire Alarm

Ansul hood controls for several Carl's JR and Dominoes restaurants.

9-2010 to 4-2012 50% Electrical 50% Fire Alarm

I was performing subcontract work for Flacon Integrators, El Paso Electric, and Simplex Grinnell

4-2012 to present 99% Fire Alarm

In April 2012 I signed a Master Sub Contract with Simplex Grinnell.

My 1st large job with employees was Colorado Springs Utilities, Martin Drake Power Plant. Coal Handling Area Fire Alarm upgrade with linear heat detection , \$120,000 project valuation, install for Simplex 3 to 5 employees daily, finished 3-2013.

3-2013 to 11-2013 Various small fire alarm jobs for Simplex Grinnell mostly tenant finish projects some industrial for Colorado Springs Utilities.

11-2013 to 4-2014 Broadmoor West Tower renovation, Complete new fire alarm system for Encore Electric. \$54 mil complete renovation. Fire Alarm over 4,000 man hours. \$128,000 project valuation.

12-2013 to present, Siemens Fire Alarm Division. Various small TI projects , Denver West Marriott \$106,000 project valuation, install, 6 story apartments 2100 Delganey \$88,000 valuation install, Denver, Pepsi Center Denver \$106,000 valuation, Complete system upgrade.

3-2017 to present, Western States Fire Protection, Broadmoor Terrace Fire Alarm upgrade with elevator controls. \$25,000.00 valuation. Double Tree Hotel one for one swap utilizing %90 of the original building wiring. \$110,00 valuation.

6-2017 to 9-2017 Non Proprietary school fire alarm system with voice and AOR phone system. Douglas County School District, Fire Lite. 100% turnkey Design, Program and Install.

Colorado Department of Regulatory Agencies
Division of Professions and Occupations

Electrical Board

Stilson Electrical Systems Inc

Electrical Contractor

EC.0007919

Number

Active

Credential Status

10/01/2017

Issue Date

09/30/2020

Expire Date

Verify this credential at: www.colorado.gov/dora/dpo

Division Director: Ronne Hines Credential Holder Signature

Colorado Department of Regulatory Agencies
Division of Professions and Occupations

Electrical Board

Shawn Edward Stilson

Master Electrician

ME.0030173

Number

Active

Credential Status

10/01/2017

Issue Date

09/30/2020

Expire Date

Verify this credential at: www.colorado.gov/dora/dpo

Division Director: Ronne Hines Credential Holder Signature



THIS IS TO CERTIFY THAT
SHAWN STILSON

IS A LICENSED (ID# 10906)
Fire Alarm Installer

Expires: 30-Nov-2018



THIS IS TO CERTIFY THAT
SS ELECTRICAL SERVICES LLC

IS A LICENSED (ID# 18989)
FIRE ALARM B CONTRACTOR

Examinee: SHAWN STILSON
Expires: 31-Dec-2018



THIS IS TO CERTIFY THAT
SS ELECTRICAL SERVICES LLC

IS A LICENSED (ID# 18989)
ELECTRICAL CONTRACTOR

Examinee: SHAWN STILSON
Expires: 31-Oct-2018

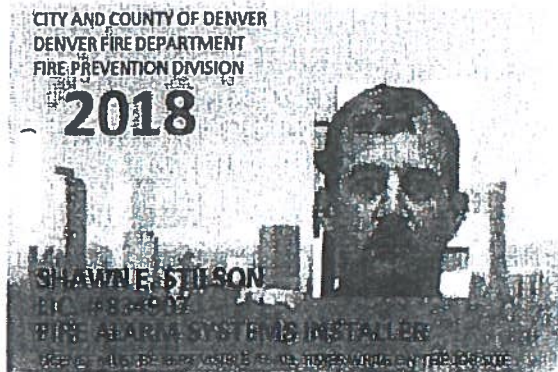


NATIONAL INSTITUTE FOR CERTIFICATION
IN ENGINEERING TECHNOLOGIES®

Shawn E. Stilson

FIRE ALARM SYSTEMS/III

CERT NO. 122268 VALID THRU 05/01/2020



OFFICE OF THE SECRETARY OF STATE
OF THE STATE OF COLORADO

CERTIFICATE OF DOCUMENT FILED

I, Wayne W. Williams, as the Secretary of State of the State of Colorado, hereby certify that, according to the records of this office, the attached document is a true and complete copy of the

Statement of Trade Name

with Document # 2018111359 of

Stilson Electric Systems Inc

(Entity ID # 2018111359)

filed by SS Electrical Services LLC Inc.
consisting of 2 pages.

This certificate reflects facts established or disclosed by documents delivered to this office on paper through 04/05/2018 that have been posted, and by documents delivered to this office electronically through 04/09/2018 @15:52:31 .

I have affixed hereto the Great Seal of the State of Colorado and duly generated, executed, and issued this official certificate at Denver, Colorado on 04/09/2018 @15:52:31 in accordance with applicable law. This certificate is assigned Confirmation Number 10830980



*****End of Certificate*****

Notice: A certificate issued electronically from the Colorado Secretary of State's Web site is fully and immediately valid and effective. However, as an option, the issuance and validity of a certificate obtained electronically may be established by visiting the Validate a Certificate page of the Secretary of State's Web site, <http://www.sos.state.co.us/biz/CertificateSearchCriteria.do> entering the certificate's confirmation number displayed on the certificate, and following the instructions displayed. Confirming the issuance of a certificate is merely optional and is not necessary to the valid and effective issuance of a certificate. For more information, visit our Web site, <http://www.sos.state.co.us/> click "Businesses, trademarks, trade names" and select "Frequently Asked Questions."



CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)

4/9/2018

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER Insurance Centers of America Inc 2055 Anglo Drive Suite 200 Colorado Springs CO 80918		CONTACT Samantha Beaudette PHONE (719) 528-5400 FAX (719) 528-1564 E-MAIL samantha@icainsurance.com ADDRESS	
INSURED Stilson Electric Systems, Inc. 5424 N Buckskin Pass Drive Colorado Springs CO 80917-2729		INSURER(S) AFFORDING COVERAGE INSURER A: Scottsdale Insurance Co. INSURER B: Progressive Artisan & Truckee INSURER C: Pinnacol INSURER D: INSURER E: INSURER F:	
		NAIC # 10194 41190	

COVERAGES

CERTIFICATE NUMBER: 17-18 / 18-19

REVISION NUMBER:

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL SUBR INSD WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS	
A	<input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR		CPS2685582	7/2/2017	7/2/2018	EACH OCCURRENCE \$ 1,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 100,000 MED EXP (Any one person) \$ 5,000 PERSONAL & ADV INJURY \$ 1,000,000 GENERAL AGGREGATE \$ 2,000,000 PRODUCTS - COM/PROP AGG \$ 2,000,000 OTHER: \$	
	GEN'L AGGREGATE LIMIT APPLIES PER: <input checked="" type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC						
	OTHER:						
	AUTOMOBILE LIABILITY						
B	<input type="checkbox"/> ANY AUTO <input type="checkbox"/> ALL OWNED AUTOS <input type="checkbox"/> HIRE AUTOS	<input checked="" type="checkbox"/> SCHEDULED AUTOS <input type="checkbox"/> NON-OWNED AUTOS	05862040-1	1/24/2018	1/24/2019	COMBINED SINGLE LIMIT (Ea accident) \$ 1,000,000 BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$ Uninsured motorist combined \$ 1,000,000	
C	<input type="checkbox"/> UMBRELLA LIAB <input type="checkbox"/> EXCESS LIAB	<input type="checkbox"/> OCCUR <input type="checkbox"/> CLAIMS-MADE				EACH OCCURRENCE \$ AGGREGATE \$ DED RETENTION \$	
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below		Y/N <input checked="" type="checkbox"/> Y N/A	4192175	5/1/2017	5/1/2018	<input checked="" type="checkbox"/> PER STATUTE <input type="checkbox"/> OTH-ER E.L. EACH ACCIDENT \$ 1,000,000 E.L. DISEASE - EA EMPLOYEE \$ 1,000,000 E.L. DISEASE - POLICY LIMIT \$ 1,000,000

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)

CERTIFICATE HOLDER

327-2951 licensing@pprbd.org

Pikes Peak Regional Building Department
2880 International Circle
Colorado Springs, CO 80910

CANCELLATION

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE

S Beaudette/SAMANT

ACORD 25 (2014/01)
INS025 (201401)

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Snow, Katha M.

From: Colorado Springs <webmaster@springsgov.com>
Sent: Thursday, April 19, 2018 1:48 PM
To: Snow, Katha M.
Subject: Form submission from: CSFD Board of Appeals Application

Submitted on Thursday, April 19, 2018 - 1:47pm

Submitted by user: Anonymous

Date of Request

Date:

Name: **221 North Academy**

Address: **221 Academny Blvd N., Colorado Springs, CO, 80909**

Date of Request

Name: **Robert J. Corry, Jr.**

Title: **Attorney**

Organization:

Mailing Address: **437 W. Colfax Ave, #300, Denver, CO, 80204**

Phone Number: **3036342244**

Email: **rob@robcorry.com**

Which code requirement do you disagree with?: **We disagree with Section 111.4. The inspection number is 201705197, completed April 11, 2018.**

Why do you believe the code should not be followed?: **This property presents no health, safety, or imminent issues that could put the community in danger. The plants that were at issue have already been removed. This space is safe, and all alterations that have been made were made by licensed contractors who pulled the approved permits.**

Date of Request

Discussed with Fire Marshal Rep?: **Yes**

If so, with whom?: **Danielle McClarin**

Alternative solutions: **Yes**

What is your proposed solution through alternate means or methods: **The property is seeking a short extension of time to be able to complete the change of use application and retain an Optional Premises Cultivation Operation license for this facility.**

If yes, why were they unacceptable?: **Previously, the Fire Marshall Representative had requested that all plant material be removed from the property. That was an issue originally, because there are limited means to properly dispose of plant material. However, those plants that were previously at issue have now been removed from the premises.**

The results of this submission may be viewed at:

<https://coloradosprings.gov/node/58411/submission/5681>

SECTION 111 STOP WORK ORDER

111.1 Order. Whenever the *fire code official* finds any work regulated by this code being performed in a manner contrary to the provisions of this code or in a dangerous or unsafe manner, the *fire code official* is authorized to issue a stop work order.

111.2 Issuance. A stop work order shall be in writing and shall be given to the *owner* of the property, or to the *owner's* agent, or to the *person* doing the work. Upon issuance of a stop work order, the cited work shall immediately cease. The stop work order shall state the reason for the order, and the conditions under which the cited work is authorized to resume.

111.3 Emergencies. Where an emergency exists, the *fire code official* shall not be required to give a written notice prior to stopping the work.

→ **111.4 Failure to comply.** Any *person* who shall continue any work after having been served with a stop work order, except such work as that *person* is directed to perform to remove a violation or unsafe condition, shall be liable to a fine of not less than [AMOUNT] dollars or more than [AMOUNT] dollars.

SECTION 112 SERVICE UTILITIES

112.1 Authority to disconnect service utilities. The *fire code official* shall have the authority to authorize disconnection of utility service to the building, structure or system in order to safely execute emergency operations or to eliminate an immediate hazard. The *fire code official* shall notify the serving utility and, whenever possible, the *owner* and occupant of the building, structure or service system of the decision to disconnect prior to taking such action if not notified prior to disconnection. The *owner* or occupant of the building, structure or service system shall be notified in writing as soon as practical thereafter.

SECTION 113 FEES

113.1 Fees. A permit shall not be issued until the fees have been paid, nor shall an amendment to a permit be released until the additional fee, if any, has been paid.

113.2 Schedule of permit fees. A fee for each permit shall be paid as required, in accordance with the schedule as established by the applicable governing authority.

113.3 Work commencing before permit issuance. Any *person* who commences any work, activity or operation regulated by this code before obtaining the necessary permits shall be subject to an additional fee established by the applicable governing authority, which shall be in addition to the required permit fees.

113.4 Related fees. The payment of the fee for the construction, *alteration*, removal or demolition of work done in connection to or concurrently with the work or activity authorized by a permit shall not relieve the applicant or holder of the permit from the payment of other fees that are prescribed by law.

113.5 Refunds. The applicable governing authority is authorized to establish a refund policy.

Fire Board of Appeals Staff Summary Report

Agenda Item: Academy Tower Plaza Suite 221, 221 N. Academy Blvd

Report Completed By: Fire Inspector Danielle McClarin

Project History: (Include relevant plan review and inspection history) An inspection was conducted with VNI at the location due to a complaint received for a possible illegal marijuana grow. Numerous inspections were conducted with ample time to correct all identified code violations. After failing to comply with the identified violations a cease and desist order was issued on 4/11/18. There still has not been any change in occupancy classification for the marijuana grows on the second floor of the building, which was originally identified on inspection report 201705197 completed 12/19/17.

Applicable Code(s): 102.9 Matters not provided for. Requirements that are essential for the public safety of an existing or proposed activity, building or structure, or for the safety of the occupants thereof, that are not specifically provided for by this code, shall be determined by the fire code official.

Specific Code Reference(s) and Summary/Summaries: All marijuana grows are required to be F-1 occupancies. The entire second floor of this building was being used for marijuana cultivation and they are all B occupancies. No change of occupancy was ever completed through Regional Building.

Additional Considerations

Year Built/Remodeled: Built 1972/remodeled - unknown

Occupancy Type: B

Occupant Load: not provided

Square Footage: Multiple units on second floor of bldg.

Construction Type: III - A

Sprinkled: No

Alarmed: No

Contractor Licensing Details:

Further Considerations:

CHAPTER 1

SCOPE AND ADMINISTRATION

PART 1—GENERAL PROVISIONS

SECTION 101 SCOPE AND GENERAL REQUIREMENTS

101.1 Title. These regulations shall be known as the *Fire Code* of [NAME OF JURISDICTION], hereinafter referred to as “this code.”

101.2 Scope. This code establishes regulations affecting or relating to structures, processes, premises and safeguards regarding:

1. The hazard of fire and explosion arising from the storage, handling or use of structures, materials or devices;
2. Conditions hazardous to life, property or public welfare in the occupancy of structures or premises;
3. Fire hazards in the structure or on the premises from occupancy or operation;
4. Matters related to the construction, extension, repair, alteration or removal of fire suppression or alarm systems; and
5. Conditions affecting the safety of fire fighters and emergency responders during emergency operations.

101.2.1 Appendices. Provisions in the appendices shall not apply unless specifically adopted.

101.3 Intent. The purpose of this code is to establish the minimum requirements consistent with nationally recognized good practice for providing a reasonable level of life safety and property protection from the hazards of fire, explosion or dangerous conditions in new and existing buildings, structures and premises and to provide safety to fire fighters and emergency responders during emergency operations.

101.4 Severability. If a section, subsection, sentence, clause or phrase of this code is, for any reason, held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this code.

101.5 Validity. In the event any part or provision of this code is held to be illegal or void, this shall not have the effect of making void or illegal any of the other parts or provisions hereof, which are determined to be legal; and it shall be presumed that this code would have been adopted without such illegal or invalid parts or provisions.

SECTION 102 APPLICABILITY

102.1 Construction and design provisions. The construction

and design provisions of this code shall apply to:

1. Structures, facilities and conditions arising after the adoption of this code.
2. Existing structures, facilities and conditions not legally in existence at the time of adoption of this code.
3. Existing structures, facilities and conditions when required in Chapter 46.
4. Existing structures, facilities and conditions which, in the opinion of the *fire code official*, constitute a distinct hazard to life or property.

102.2 Administrative, operational and maintenance provisions. The administrative, operational and maintenance provisions of this code shall apply to:

1. Conditions and operations arising after the adoption of this code.
2. Existing conditions and operations.

102.3 Change of use or occupancy. No change shall be made in the use or occupancy of any structure that would place the structure in a different division of the same group or occupancy or in a different group of occupancies, unless such structure is made to comply with the requirements of this code and the *International Building Code*. Subject to the approval of the *fire code official*, the use or occupancy of an existing structure shall be allowed to be changed and the structure is allowed to be occupied for purposes in other groups without conforming to all the requirements of this code and the *International Building Code* for those groups, provided the new or proposed use is less hazardous, based on life and fire risk, than the existing use.

102.4 Application of building code. The design and construction of new structures shall comply with the *International Building Code*, and any alterations, additions, changes in use or changes in structures required by this code, which are within the scope of the *International Building Code*, shall be made in accordance therewith.

102.5 Application of residential code. Where structures are designed and constructed in accordance with the *International Residential Code*, the provisions of this code shall apply as follows:

1. Construction and design provisions: Provisions of this code pertaining to the exterior of the structure shall apply including, but not limited to, premises identification, fire apparatus access and water supplies. Where interior or exterior systems or devices are installed, construction permits required by Section 105.7 of this code shall also apply.
2. Administrative, operational and maintenance provi-



Colorado Springs Fire Department



Inspection Report

ACADEMY TOWER PLAZA SUITE 221
00221 N ACADEMY BLVD
COLORADO SPRINGS, CO 80909

Inspection Type: MMJ, Referral, Regular
Inspection Status: Pending

Inspection Number: 201705197

Inspection Date: 12/20/2017

Plan/Review Number:

Permit Number:

Fire Code Violations/Comments

Description	Date	Correct By	Status
<p>Fire Inspection: The purpose of this fire code inspection is to establish the minimum requirements to provide a reasonable level of life safety from the hazards of fire, explosion or dangerous conditions in new and existing premises and to provide safety to emergency responders during emergency operations.</p> <p>Name: BYON, GRACE Email: GBYON@YAHOO.COM Phone(s): (714) 351-1606 : Mobile</p> <p>Additional Comments: Inspection conducted for possible fire code violations at an unlicensed MJ grow in commercial space. There are some rooms on the second floor that were were not able to inspect as the doors were locked. I will need access to these rooms to conduct a fire inspection.</p>	12/19/2017	1/16/2018	Not Corrected
<p>102.9 Matters not provided for.: Requirements that are essential for the public safety of an existing or proposed activity, building or structure, or for the safety of the occupants thereof, that are not specifically provided for by this code, shall be determined by the fire code official.</p> <p>Corrective Action: Land Use : The use/occupancy of the structure shall meet all applicable zoning code requirements or otherwise obtain zoning approval for desired use, through City Planning/Land Use Review.</p> <p>Contact Development Review Enterprise at 2880 International Circle, Suite 200-7, Colorado Springs, CO 80910, 719-385-5982 for correct zoning requirements for marijuana grows in commercial spaces.</p> <p>Additional Comments: The upstairs units used to all be offices which have now been converted into MJ grow rooms. Contact Development Review Enterprise to check the zoning and occupancy classification.</p>	12/19/2017	1/16/2018	Not Corrected

<p>IFC 1011.1 Exit signs: Exits and exit access doors shall be marked by an approved exit sign readily visible from any direction of egress travel. Access to exits shall be marked by readily visible exit signs in cases where the exit or the path of egress travel is not immediately visible to the occupants. Exit sign placement shall be such that no point in a corridor is more than 100 feet or the listed viewing distance for the sign, whichever is less, from the nearest visible exit sign</p> <p>Additional Comments: There are two exit signs on the 2nd floor that point you in directions where there are not any exits. Exit signs must direct you to exit access. Repair/replace the signs so that they are leading you to the exits.</p>	12/19/2017	1/16/2018	Not Corrected
<p>IFC 3003.5.3 Securing: Compressed gas containers, cylinders and tanks shall be secured to prevent falling caused by contact, vibration or seismic activity.</p> <p>Additional Comments: There is approximately 200 lbs (4 cylinders) of CO2. They are not hooked up to a system so they do not meet the new code requirements, but they must be secured to prevent accidental tipping/falling.</p>	12/19/2017	1/16/2018	Not Corrected
<p>IFC 906.5 Location: Portable fire extinguishers shall be located in conspicuous locations where they will be readily accessible and immediately available for use. These locations shall be along normal paths of travel, unless the fire code official determines that the hazard posed indicates the need for placement away from the normal paths of travel.</p> <p>Additional Comments: There are no extinguishers in the individual suites, only in the common hallway. Extinguishers must be mounted and readily accessible within 75 ft. Install additional extinguishers in the suites. They must be at least 2A; 10BC and installed at least 4:" off the floor but no higher than 5 ft.</p>	12/19/2017	1/16/2018	Not Corrected
<p>IFC 901.6.1 Annual Inspection: Fire Extinguishers shall be inspected annually by a licensed contractor according to NFPA 10.</p> <p>Additional Comments: There are three extinguishers in the hallway of the second floor. None of them have current inspections (2000 & 2006). All extinguishers must have an annual inspection by a licensed contractor.</p>	12/19/2017	1/16/2018	Not Corrected
<p>IFC 4604.5.1 Lights: In other than Group I-1, the emergency (illumination) power system shall provide power for not less than 60 minutes and consist of storage batteries, unit equipment or an on-site generator.</p> <p>Additional Comments: None of the emergency lights on the second floor are working. Repair/replace so they are functioning in the event of power failure/emergency.</p>	12/19/2017	1/16/2018	Not Corrected
<p>IFC 605.6 Open J box: Open (electrical) junction boxes and open-wiring splices shall be prohibited. Approved covers shall be provided for all switch and electrical outlet boxes.</p> <p>Additional Comments: There are some outlets that do not have outlet covers on them and quite a few junction boxes without covers. All outlets and junction boxes must have approved covers on them.</p>	12/19/2017	1/16/2018	Not Corrected



Colorado Springs Fire Department



Inspection Report

ACADEMY TOWER PLAZA SUITE 221
00221 N ACADEMY BLVD
COLORADO SPRINGS, CO 80909

Inspection Type: MMJ, Regular
Inspection Status: Pending

Inspection Number: 201705197

Inspection Date: 1/16/2018

Plan/Review Number:

Permit Number:

Fire Code Violations/Comments

Description	Date	Correct By	Status
<p>Fire Inspection: The purpose of this fire code inspection is to establish the minimum requirements to provide a reasonable level of life safety from the hazards of fire, explosion or dangerous conditions in new and existing premises and to provide safety to emergency responders during emergency operations.</p> <p>Name: BYON, GRACE Email: GBYON@YAHOO.COM Phone(s): (714) 351-1606 : Mobile</p> <p>Additional Comments: Inspection conducted for possible fire code violations at an unlicensed MJ grow in commercial space. There are some rooms on the second floor that were were not able to inspect as the doors were locked. I will need access to these rooms to conduct a fire inspection.</p> <p>1/16/18 - Most of the violations have been corrected, with a few remaining. An order notice was issued with all remaining violations to be corrected within 7 days or a cease and desist order will be given.</p>	12/19/2017	1/23/2018	Not Corrected

<p>IFC 1008.1.9.4 Slide bolts: Manually operated flush bolts or surface bolts are not permitted</p> <p>Additional Comments: There is a non compliant thumb bolt on the NW exit door. Thumb bolts are not permitted unless they have an offset pivot with at least 1 1/2" above the pivot point. Options were discussed with Grace. This must be corrected within 24 hours or a summons and/or a cease and desist will be issued until the exits are code compliant.</p> <p>12/21/17 - The new single action lever locks have been ordered and they will be here on 12/22. The stairs have also been cleared of all obstructions. I verified the order and until the locks have been changed all doors will be unlocked while the building is occupied. Grace will send out a message to all tenants letting them know if they come in the building they will need to keep the exit door unlocked until they leave.</p> <p>12/22/17 - Grace sent me photos of the new lever locks on the doors which allow single action egress.</p>	<p>12/19/2017</p>	<p>Corrected</p>
<p>IFC 1015.2 Unobstructed: Required exits shall be located in a manner that makes their availability obvious. Exits shall be unobstructed at all times. Exit and exit access doorways shall be arranged in accordance with Sections 1015.2.1 and 1015.2.2.</p> <p>Additional Comments: The stairwell on the E side exit is blocked and cluttered with litter and trash and the door is locked with a double keyed deadbolt and inaccessible. Exits must be openable from the egress side and they shall be unobstructed at all times. Remove all items in the stairwell and replace the lock with code compliant hardware. This must be corrected within 24 hours or a summons and/or a cease and desist will be issued until the exits are code compliant.</p> <p>12/21/17 - The new single action lever locks have been ordered and they will be here on 12/22. The stairs have also been cleared of all obstructions. I verified the order and until the locks have been changed all doors will be unlocked while the building is occupied. Grace will send out a message to all tenants letting them know if they come in the building they will need to keep the exit door unlocked until they leave.</p> <p>12/22/17 - Grace sent me photos of the new lever locks on the doors which allow single action egress.</p>	<p>12/19/2017</p>	<p>Corrected</p>

<p>IFC 906.5 Location: Portable fire extinguishers shall be located in conspicuous locations where they will be readily accessible and immediately available for use. These locations shall be along normal paths of travel, unless the fire code official determines that the hazard posed indicates the need for placement away from the normal paths of travel.</p>	12/19/2017	Corrected
<p>Additional Comments: There are no extinguishers in the individual suites, only in the common hallway. Extinguishers must be mounted and readily accessible within 75 ft. Install additional extinguishers in the suites. They must be at least 2A; 10BC and installed at least 4:" off the floor but no higher than 5 ft.</p>		
<p>1/16/18 - They have added additional extinguishers to the exterior hallway and the exit doors from the suites would allow access within 75 ft.</p>		
<p>IFC 901.6.1 Annual Inspection: Fire Extinguishers shall be inspected annually by a licensed contractor according to NFPA 10.</p>	12/19/2017	Corrected
<p>Additional Comments: There are three extinguishers in the hallway of the second floor. None of them have current inspections (2000 & 2006). All extinguishers must have an annual inspection by a licensed contractor.</p>		
<p>1/16/18 - Extinguishers now have inspection from Acme Dec 2017.</p>		
<p>IFC 605.6 Open J box: Open (electrical) junction boxes and open-wiring splices shall be prohibited. Approved covers shall be provided for all switch and electrical outlet boxes.</p>	12/19/2017	Corrected
<p>Additional Comments: There are some outlets that do not have outlet covers on them and quite a few junction boxes without covers. All outlets and junction boxes must have approved covers on them.</p>		
<p>1/16/18 - Outlets now have approved covers on them.</p>		

Fire department inspections are intended for your safety and that of our city's citizens and visitors. This document is an official notice of violation(s) of the Fire Code, as amended. All corrections shall be completed by the specified date. Violation of the Fire Code is a misdemeanor punishable by a fine and/or imprisonment; therefore, failure to comply with these requirements may lead to legal action. Your cooperation is greatly appreciated. For information concerning this inspection, please call (719) 385-5978.



DOI, JARED
PROPERTY MANAGER



McClarin, Danielle M
Fire Code Inspector I



Colorado Springs Fire Department



Inspection Report

ACADEMY TOWER PLAZA SUITE 221
00221 N ACADEMY BLVD
COLORADO SPRINGS, CO 80909

Inspection Type: MMJ, Regular
Inspection Status: Pending

Inspection Number: 201705197

Inspection Date: 1/25/2018

Plan/Review Number:

Permit Number:

Fire Code Violations/Comments

Description	Date	Correct By	Status
<p>Fire Inspection: The purpose of this fire code inspection is to establish the minimum requirements to provide a reasonable level of life safety from the hazards of fire, explosion or dangerous conditions in new and existing premises and to provide safety to emergency responders during emergency operations.</p> <p>Name: BYON, GRACE Email: GBYON@YAHOO.COM Phone(s): (714) 351-1606 : Mobile</p> <p>Additional Comments: Inspection conducted for possible fire code violations at an unlicensed MJ grow in commercial space. There are some rooms on the second floor that were were not able to inspect as the doors were locked. I will need access to these rooms to conduct a fire inspection.</p> <p>1/16/18 - Most of the violations have been corrected, with a few remaining. An order notice was issued with all remaining violations to be corrected within 7 days or a cease and desist order will be given.</p> <p>1/24/18 - Re-inspection conducted with Jared, the property manager. They intend to apply for a variance through DRE and pending the decision will need to do a change of occupancy for each suite upstairs. Provide documentation (completed application) that the variance has been requested.</p>	12/19/2017	1/31/2018	Not Corrected

IFC 4604.5.1 Lights: In other than Group I-1, the emergency (illumination) power system shall provide power for not less than 60 minutes and consist of storage batteries, unit equipment or an on-site generator.	12/19/2017	Corrected
Additional Comments: None of the emergency lights on the second floor are working. Repair/replace so they are functioning in the event of power failure/emergency.		
1/16/18 - No change to this violation.		

Fire department inspections are intended for your safety and that of our city's citizens and visitors. This document is an official notice of violation(s) of the Fire Code, as amended. All corrections shall be completed by the specified date. Violation of the Fire Code is a misdemeanor punishable by a fine and/or imprisonment; therefore, failure to comply with these requirements may lead to legal action. Your cooperation is greatly appreciated. For information concerning this inspection, please call (719) 385-5978.



DOI, JARED
PROPERTY MANAGER



McClarin, Danielle M
Fire Code Inspector I



Colorado Springs Fire Department



Inspection Report

ACADEMY TOWER PLAZA SUITE 221
00221 N ACADEMY BLVD
COLORADO SPRINGS, CO 80909

Inspection Type: MMJ, Regular
Inspection Status: Pending

Inspection Number: 201705197

Inspection Date: 4/12/2018

Plan/Review Number:

Permit Number:

Fire Code Violations/Comments

Description	Date	Correct By	Status
<p>Fire Inspection: The purpose of this fire code inspection is to establish the minimum requirements to provide a reasonable level of life safety from the hazards of fire, explosion or dangerous conditions in new and existing premises and to provide safety to emergency responders during emergency operations.</p> <p>Name: BYON, GRACE Email: GBYON@YAHOO.COM Phone(s): (714) 351-1606 : Mobile</p> <p>Additional Comments: Inspection conducted for possible fire code violations at an unlicensed MJ grow in commercial space. There are some rooms on the second floor that were were not able to inspect as the doors were locked. I will need access to these rooms to conduct a fire inspection.</p> <p>1/16/18 - Most of the violations have been corrected, with a few remaining. An order notice was issued with all remaining violations to be corrected within 7 days or a cease and desist order will be given.</p> <p>1/24/18 - Re-inspection conducted with Jared, the property manager. They intend to apply for a variance through DRE and pending the decision will need to do a change of occupancy for each suite upstairs. Provide documentation (completed application) that the variance has been requested.</p> <p>2/14/18 - Still working on electrical and architects to complete all work. Jared will provide an update next week.</p> <p>4/11/18 - There has been no progress in the change of occupancy to the grows. A cease and desist order was issued and 24 hrs was given to remove the grows.</p> <p>4/12/18 - All plants have been removed. They will continue to remove all the remaining equipment.</p>	12/19/2017	4/18/2018	Not Corrected

<p>IFC 605.1 Electrical hazard: Abatement of electrical hazards. Identified electrical hazards shall be abated. Identified hazardous electrical conditions in permanent wiring shall be brought to the attention of the responsible code official. Electrical wiring, devices, appliances and other equipment that is modified or damaged and constitutes an electrical shock or fire hazard shall not be used.</p> <p>Additional Comments: The electrical room is full of open breaker panels, open junction boxes and exposed wires. It does not appear that any electrical permits were pulled for the electrical work that was conducted on the 2nd floor. Contact Regional Building to obtain an electrical permit and have all work conducted by a licensed electrician and all work inspection by Regional Building. This must be corrected within one week or a summons and/or a cease and desist will be issued until the electrical work has been properly permitted and inspected.</p> <p>12/28/17 - Permit L29741 has been pulled for electrical work.</p> <p>1/16/18 - There is still some electrical work being conducted.</p> <p>1/24/18 - A review of the permit in the PPRBD website does not indicate any inspections have been performed on the electrical work completed. Contact Regional Building to request an inspection once all the electrical work has been completed.</p> <p>2/14/18 - I spoke to Miguel with RBD yesterday about the permit for this address. I also met the electrician today at the property to discuss requirements. A new permit was pulled yesterday for an electrical upgrade and Miguel stated in his notes that the electrical work needed to be pulled or made in compliance with 2014 NEC. They will continue to work with Regional to get all permits and inspections completed.</p> <p>4/11/18 - The electrical permit is still open and has not been completed, not has an inspection been completed per RBD website. A cease and desist order was issued and 24 hrs was given to remove the grows.</p> <p>Comment: 4/12/18 - Continuation from previous violation: IFC 605.1 Electrical hazard: Abatement of electrical hazards. Identified electrical hazards shall be abated. Identified hazardous electrical conditions in permanent wiring shall be brought to the attention of the responsible code official. Electrical wiring, devices, appliances and other equipment that is modified or damaged and constitutes an electrical shock or fire hazard shall not be used.</p> <p>There are still open electrical violations and an open permit from Feb 2018 that has not been closed out or completed. Complete all electrical work and have it inspected by RBD to close out the open permit.</p>	12/19/2017	4/18/2018	Not Corrected
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City of Colorado Springs Fire Department



ORDER NOTICE

Page 1 of 1

This Order Notice is written under the authority of Chapter 8, Article 4, Part 1, Fire Prevention Code, of the City Code of Colorado Springs 2011.

STREET <u>Academy Blvd.</u>	D <u>N</u>	NUMBER <u>221</u>	UNIT TYPE	UNIT NUMBER	INSPECTION NUMBER <u>201705197</u>
OCCUPANT NAME <u>Unlicensed mj grow / Jared Di Pimp Manager</u>			OCCUPANT PHONE <u>714-271-5637</u>		

Item #	Section	Fire Code Violation
<u>1</u>	<u>111.4</u>	<u>Nature of Violation: Failure to comply with outstanding Fire code violations previously identified on inspection report 201705197 dated 12/19/17.</u>
<u>Correction Required: Cease & desist all grow operations on the 2nd floor until a change of occupancy has been completed. You have 24 hrs to remove the grows.</u>		
<u>Correct By Date: 4-12-18 @ 1000</u>		

Item #	Section	Fire Code Violation
		<u>Nature of Violation:</u>
<u>Correction Required:</u>		
<u>Correct By Date:</u>		

YOU MAY APPEAL THIS ORDER TO THE FIRE BOARD OF APPEALS IN ACCORDANCE WITH SECTION 8.3.103 OF THE CITY CODE OF COLORADO SPRINGS 2011. APPEALS MUST BE SUBMITTED IN WRITING WITHIN TEN DAYS OF RECEIPT OF THIS ORDER. CONTACT (719) 385-5978 FOR FURTHER INFORMATION REGARDING THE BOARD'S MEETINGS.

FAILURE TO COMPLY WITH THIS ORDER NOTICE MAY RESULT IN LEGAL ACTION. VIOLATION OF THE FIRE CODE IS A MISDEMEANOR PUNISHABLE BY A FINE AND/OR IMPRISONMENT NOT EXCEEDING 90 DAYS.

COPY RECEIVED BY <u>[Signature]</u>		TITLE <u>Propert. Manager</u>		DATE RECEIVED <u>4-11-18</u>	
DATE OF INSPECTION <u>4-11-18</u>	# INSP <u>4</u>	INSPECTED BY <u>D. McCluskey</u>	TITLE <u>Fire Inspector</u>	TOTAL INSP TIME <u>1.0</u>	REINSPECTION DATE <u>4-12-18</u>

White: Occupant Yellow: Data Entry



Colorado Springs Fire Department



Inspection Report

ACADEMY TOWER PLAZA SUITE 221
00221 N ACADEMY BLVD
COLORADO SPRINGS, CO 80909

Inspection Type: MMJ, Regular
Inspection Status: Pending

Inspection Number: 201705197

Inspection Date: 4/18/2018

Plan/Review Number:

Permit Number:

Fire Code Violations/Comments

Description	Date	Correct By	Status
<p>Fire Inspection: The purpose of this fire code inspection is to establish the minimum requirements to provide a reasonable level of life safety from the hazards of fire, explosion or dangerous conditions in new and existing premises and to provide safety to emergency responders during emergency operations.</p> <p>Name: BYON, GRACE Email: GBYON@YAHOO.COM Phone(s): (714) 351-1606 : Mobile</p> <p>Additional Comments: Inspection conducted for possible fire code violations at an unlicensed MJ grow in commercial space. There are some rooms on the second floor that were were not able to inspect as the doors were locked. I will need access to these rooms to conduct a fire inspection.</p> <p>1/16/18 - Most of the violations have been corrected, with a few remaining. An order notice was issued with all remaining violations to be corrected within 7 days or a cease and desist order will be given.</p> <p>1/24/18 - Re-inspection conducted with Jared, the property manager. They intend to apply for a variance through DRE and pending the decision will need to do a change of occupancy for each suite upstairs. Provide documentation (completed application) that the variance has been requested.</p> <p>2/14/18 - Still working on electrical and architects to complete all work. Jared will provide an update next week.</p> <p>4/11/18 - There has been no progress in the change of occupancy to the grows. A cease and desist order was issued and 24 hrs was given to remove the grows.</p> <p>4/12/18 - All plants have been removed. They will continue to remove all the remaining equipment.</p> <p>4/18/18 - Some of the equipment has been removed but there are still some in 2 of the suites. I instructed Jared that I will do periodic spot checks and if anyone is found working in the rooms, other than removing equipment they will be issued a summons.</p>	12/19/2017	4/25/2018	Not Corrected

<p>IFC 605.1 Electrical hazard: Abatement of electrical hazards. Identified electrical hazards shall be abated. Identified hazardous electrical conditions in permanent wiring shall be brought to the attention of the responsible code official. Electrical wiring, devices, appliances and other equipment that is modified or damaged and constitutes an electrical shock or fire hazard shall not be used.</p> <p>Additional Comments: The electrical room is full of open breaker panels, open junction boxes and exposed wires. It does not appear that any electrical permits were pulled for the electrical work that was conducted on the 2nd floor. Contact Regional Building to obtain an electrical permit and have all work conducted by a licensed electrician and all work inspection by Regional Building. This must be corrected within one week or a summons and/or a cease and desist will be issued until the electrical work has been properly permitted and inspected.</p> <p>12/28/17 - Permit L29741 has been pulled for electrical work.</p> <p>1/16/18 - There is still some electrical work being conducted.</p> <p>1/24/18 - A review of the permit in the PPRBD website does not indicate any inspections have been performed on the electrical work completed. Contact Regional Building to request an inspection once all the electrical work has been completed.</p> <p>2/14/18 - I spoke to Miguel with RBD yesterday about the permit for this address. I also met the electrician today at the property to discuss requirements. A new permit was pulled yesterday for an electrical upgrade and Miguel stated in his notes that the electrical work needed to be pulled or made in compliance with 2014 NEC. They will continue to work with Regional to get all permits and inspections completed.</p> <p>4/11/18 - The electrical permit is still open and has not been completed, not has an inspection been completed per RBD website. A cease and desist order was issued and 24 hrs was given to remove the grows.</p> <p>Comment: 4/18/18 - Some of the equipment has been removed but there are still some in 2 of the suites. I instructed Jared that I will do periodic spot checks and if anyone is found working in the rooms, other than removing equipment they will be issued a summons.</p>	12/19/2017	4/25/2018	Not Corrected
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Fire department inspections are intended for your safety and that of our city's citizens and visitors. This document is an official notice of violation(s) of the Fire Code, as amended. All corrections shall be completed by the specified date. Violation of the Fire Code is a misdemeanor punishable by a fine and/or imprisonment; therefore, failure to comply with these requirements may lead to legal action. Your cooperation is greatly appreciated. For information concerning this inspection, please call (719) 385-5978.



DOI, JARED
PROPERTY MANAGER



McClarin, Danielle M
Fire Code Inspector I

McClarin, Danielle

From: Herington, Meggan
Sent: Friday, March 02, 2018 9:18 AM
To: McClarin, Danielle
Cc: Smith, Steven D. (CSFD)
Subject: RE: Message from Teixeira, Rachel (55368)

Danielle, thanks! I have Mike McConnell on top of it and it will stop here. I may need to tighten this up more on our end. I have no idea how Rachel got involved. THANK YOU for bringing me in the loop.



Meggan L. Herington,
AICP
Assistant Director of Planning

Phone: (719) 385-5083
Email: mherington@springsgov.com

From: McClarin, Danielle
Sent: Friday, March 02, 2018 8:30 AM
To: Herington, Meggan
Cc: Smith, Steven D. (CSFD)
Subject: FW: Message from Teixeira, Rachel (55368)

Good morning Meggan,

I received the attached voice mail from Rachel in regards to 203-221 N. Academy. I have left a message for Rachel, but we have not made contact as of yet. The voice mail indicates that the grow is associated with the licensed dispensary at 201 N. Academy, however they are not. The grows that are currently there are personal and/or caregiver grows.

Would you be able to touch base with her to figure this out and make sure she is aware that these are not permitted or what is going on with them? I know they have an architect and had planned on pushing forward so maybe that is what is happening.

Thank you,
Danielle

From: Teixeira, Rachel
Sent: Tuesday, February 27, 2018 1:35 PM
To: McClarin, Danielle
Subject: Message from Teixeira, Rachel (55368)

McClarin, Danielle

From: Jared Doi <jared_doi@yahoo.com>
Sent: Thursday, March 22, 2018 11:55 PM
To: McClarin, Danielle
Subject: Re: Update

Hi Danielle,

I hope all is well. We had a meeting with a lady at the city land use review a few weeks ago. As part of the follow up process, I got news today that the architect is setting up a meeting next week with the Mike at land use review to get the change of use issue cleared up.

Kind regards!

Jared Doi
Managing Member of C^3 Colorado Springs, LLC
(714)271-5637

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From: "McClarin, Danielle" <dmccclarin@springsgov.com>
To: Jared Doi <jared_doi@yahoo.com>
Sent: Wednesday, March 21, 2018 2:36 PM
Subject: Update

Hi Jared,
Can you give me an update on where we are at with the unlicensed grows?

Thanks,
Danielle

Danielle M. McClarin
Fire Code Inspector I
Division of the Fire Marshal
Colorado Springs Fire Department
719.385.7373



McClarín, Danielle

From: Jared Doi <jared_doi@yahoo.com>
Sent: Tuesday, March 27, 2018 4:28 PM
To: McClarin, Danielle
Subject: Re: Update

Hi Danielle,

I hope you had a good weekend. Yesterday morning I met with Mike at land use review and he is going to allow us to proceed with the change of use because I am going to pursue licensing.

Kind regards,

Jared Doi
Managing Member of C^3 Colorado Springs, LLC
(714)271-5637

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On Mar 21, 2018, at 2:36 PM, McClarin, Danielle <dmccclarin@springsgov.com> wrote:

Hi Jared,
Can you give me an update on where we are at with the unlicensed grows?

Thanks,
Danielle

Danielle M. McClarin
Fire Code Inspector I
Division of the Fire Marshal
Colorado Springs Fire Department
719.385.7373



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fire and rescue service to our community since 1894."*

McClarín, Danielle

From: McConnell, Michael
Sent: Wednesday, March 28, 2018 9:09 AM
To: McClarin, Danielle
Cc: Herington, Meggan; Smith, Steven D. (CSFD)
Subject: RE: Update 221 N. Academy

They will be pursuing licensing through the Clerks office and will be associated with the onsite existing dispensary. They will need to submit an application for a conditional use which requires a public hearing.

Mike

Michael McConnell | PLANNER II
Land Use Review | City of Colorado Springs
30 S. Nevada Ave Suite 105 | Colorado Springs, CO | 80901
Direct Line: 719.385.5369 | Fax: 719.385.5055 | mmcconnell@springsgov.com

[Request for Pre Application MGT](#) [City Zoning Code](#) [Online Mapping](#) [Assessor Parcel Info](#)

[Subdivision Doc Viewer](#) [LDRS](#)

From: McClarin, Danielle
Sent: Wednesday, March 28, 2018 9:06 AM
To: McConnell, Michael
Cc: Herington, Meggan; Smith, Steven D. (CSFD)
Subject: FW: Update 221 N. Academy

Good morning Mike,
Can you tell me what he means by he is going to pursue licensing and if in fact his below e-mail is true?

Thanks,
Danielle

From: Jared Doi [mailto:jared_doi@yahoo.com]
Sent: Tuesday, March 27, 2018 4:28 PM
To: McClarin, Danielle
Subject: Re: Update

Hi Danielle,

I hope you had a good weekend. Yesterday morning I met with Mike at land use review and he is going to allow us to proceed with the change of use because I am going to pursue licensing.

Kind regards,

Jared Doi
Managing Member of C^3 Colorado Springs, LLC
(714)271-5637

McClarín, Danielle

From: Abbey Moffitt <abbey@robcorry.com>
Sent: Tuesday, April 10, 2018 8:13 PM
To: McClarin, Danielle; Rob Corry
Subject: North Academy Grow

Hi Danielle,

Our firm represents Jared Doi, John Mata and the property at 375 Printers Parkway. My clients informed me you have been trying to reschedule the inspection for tomorrow. We would ask that my clients be able to postpone the meeting until a later date.

We had previously told you they were applying for a change of ownership, but they are actually applying for a change of use and I have copied email communications below to show this (I copied them in this email so I do not clog your inbox with forwarded emails, but if you'd like me to do that I can). Please let me know what additional material you need. They They are currently working with an architect to approve the plans.

Best,
Abbey Moffitt

--

Abbey Moffitt
Attorney At Law
Corry & Associates
437 West Colfax Ave. Ste. 300
Denver, CO 80204
303-634-2244
abbey@robcorry.com

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On Tuesday, April 10, 2018, 2:40 PM, Fidencio Torres <ftorres@waygroup.com> wrote:

Jared,

We are working on wrapping up the conditional use site plan for [201-223 North Academy Blvd.](#)

for your type of License Modification. The Report of Changes Application packet, application submission requirements and options, and MED office location details can be found on the License Modification page.

Best,

On Tue, Apr 10, 2018 at 8:43 AM, Jared Doi <jared_doi@yahoo.com> wrote:
Hi Dor

I need an appointment to modify / expand my medical store/Mmc in Colorado Springs.

What is the process of getting an appointment.

Kind regards,

Jared Doi
Managing Member of C^3 Colorado Springs, LLC
(714)271-5637

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From: Fidencio Torres <ftorres@waygroup.com>

Date: March 23, 2018 at 2:28:25 PM MDT

To: "lmcrae@springsgov.com" <lmcrae@springsgov.com>, "McConnell, Michael" <MMcConnell@springsgov.com>, Jared Doi <jared_doi@yahoo.com>

Subject: 203-221 North Academy Boulevard

Everyone,

I thought have a meeting to discuss Jared's project would be good idea to get all of his questions answered all at once. Michael let me know if your office or the lobby area would be a good place.

McClarín, Danielle

From: McClarin, Danielle
Sent: Wednesday, April 11, 2018 9:06 AM
To: 'Abbey Moffitt'; Rob Corry
Cc: Smith, Steven D. (CSFD); Lacey, Brett; McRae, Lee; Herington, Meggan
Subject: RE: North Academy Grow

Good morning Abbey,

I attempted to call you this morning to explain the situation over the phone but you were not available.

Please correct your address to 221 N. Academy as this is where the grow is located. 375 Printers Parkway is the location of the Fire Department Complex, which is where I work and has nothing to do with the situation.

I have reviewed the forwarded e-mails below and from all indications it still appears that Jared Doi will be moving forward with the conditional use and expanding his MMC location to this address. I do not have any concerns with that as he is proceeding through the correct departments to ensure he is code compliant. The issue that I have is the existing non-licensed grow that is currently in the location, which is a separate issue than what Jared is proceeding with.

When/if Jared is approved to expand his MMC location it will not be with the plants that are currently in the building. So as of right now the active grows (personal/caregiver) that are there are not the correct occupancy and they have not made any progress to change the occupancy.

I know this can be a bit confusing, so please reach out to me if you have any questions.

Danielle

Danielle M. McClarin
Fire Code Inspector I
Division of the Fire Marshal
Colorado Springs Fire Department
719.385.7373



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fire and rescue service to our community since 1894."*

From: Abbey Moffitt [mailto:abbey@robcorry.com]
Sent: Tuesday, April 10, 2018 8:13 PM
To: McClarin, Danielle; Rob Corry
Subject: North Academy Grow

Hi Danielle,



WAY ARCHITECTS, P.C.



[318 North Tejon](#)

[Colorado Springs, Colorado 80903](#)

[\(719\) 473-8400](#) FAX [\(719\) 473-0400](#)

www.waygroup.com



Fidencio Torres

ftorres@waygroup.com



From: "_ APPOINTMENTS - DOR, DOR_MED" <dor_med_appointments@state.co.us>
Date: April 10, 2018 at 8:51:39 AM MDT
To: Jared Doi <jared_doi@yahoo.com>
Subject: Re: Modification of premises

Hello Jared,

An appointment is not required for submitting a Report of Changes Application. You view the MED Application and Licensing page on our website: [Click Here](#) . On the left side of the page you will see the heading, "License Modifications". You can click on it for your type of License Modification. The Report of Changes Application packet, application submission requirements and options, and MED office location details can be found on the License Modification page.

Best,

On Tue, Apr 10, 2018 at 8:43 AM, Jared Doi <jared_doi@yahoo.com> wrote:
Hi Dor

Snow, Katha M.

From: Colorado Springs <webmaster@springsgov.com>
Sent: Wednesday, April 25, 2018 12:00 PM
To: Snow, Katha M.
Subject: Form submission from: CSFD Board of Appeals Application

Submitted on Wednesday, April 25, 2018 - 12:00pm

Submitted by user: Anonymous

Date of Request

Date:

Name: **USOC Velodrome**

Address: **250 S. Union Blvd., Colorado Springs, CO, 80910**

Date of Request

Name: **Mira Theisen (on behalf of the USOC)**

Title: **Senior Associate**

Organization:

Mailing Address: **475 Lincoln St. Suite 100, Denver, CO, 80203**

Phone Number: **720-974-6111**

Email: **mira.theisen@perkinswill.com**

Which code requirement do you disagree with?: **International Fire Code (IFC) 903.2.1.4 (2009 Edition) states that a fire sprinkler system is required for a A-4 occupancy where one of the following conditions exist: 1. Fire area exceeds 12,000 square feet, 2. The fire area has an occupancy load of 300 or more, or 3. The fire area is located on a floor other than a level of exit discharge serving such occupancies. The existing velodrome is approximately 118,000 square feet. We disagree with the fire sprinkler requirement.**

Why do you believe the code should not be followed?: **The dome is an existing air supported membrane structure covering a concrete cycling track and asphalt paved infield. The USOC would like to change the dome from it's current**

temporary building status to a permanent building. As such a Change of Occupancy process is required. The project will be submitted for Change of Occupancy under the 2009 codes. When changed to a permanent building the building is classified as a Type II B (non-combustible), A-4 occupancy. The International Fire Code conflicts with the International Building Code concerning fire sprinkler exceptions for A-4 occupancies. Section 507.3, Exception 2 of the 2009 IBC allows a fire sprinkler exception for A-4 indoor participants sports venues one story above grade plane, the IFC does not contain the same code exception. Installing a fire sprinkler throughout the dome is technically infeasible, as an air-supported structure the dome must be able to deflate in high-wind conditions or for maintenance reasons, allowing for only removable and flexible connections to the membrane. No water service exists inside the dome. Occupancies in the dome are low since it is a training facility used by experienced athletes, typical occupant load during operating hours is 40 people. Test reports are available from the dome supplier showing that the dome fabric itself is non-combustible. The owner proposes to install a smoke detection system in lieu of fire sprinklers to address the intent of the code.

Date of Request

Discussed with Fire Marshal Rep?: **Yes**

If so, with whom?: **Wyman (Chip) Taylor and Captain Loveless**

Alternative solutions: **Yes**

What is your proposed solution through alternate means or methods: **Install a smoke detection system in lieu of fire sprinklers**

If yes, why were they unacceptable?: **Given the low occupancy of the dome and technical infeasibility of installing fire sprinklers, the owner proposes installing smoke detection lieu of fire sprinklers.**

The results of this submission may be viewed at:

<https://coloradosprings.gov/node/58411/submission/7506>

→ **903.2.1.4 Group A-4.** An automatic sprinkler system shall be provided for Group A-4 occupancies where one of the following conditions exists:

1. The fire area exceeds 12,000 square feet (1115 m²).
2. The fire area has an occupant load of 300 or more.
3. The fire area is located on a floor other than a level of exit discharge serving such occupancies.

903.2.1.5 Group A-5. An automatic sprinkler system shall be provided for Group A-5 occupancies in the following areas: concession stands, retail areas, press boxes and other accessory use areas in excess of 1,000 square feet (93 m²).

[F] **903.2.2 Group B ambulatory health care facilities.** An automatic sprinkler system shall be installed throughout all fire areas containing a Group B ambulatory health care facility occupancy when either of the following conditions exist at any time:

1. Four or more care recipients are incapable of self-preservation.
2. One or more care recipients who are incapable of self-preservation are located at other than the level of exit discharge serving such an occupancy.

903.2.3 Group E. An automatic sprinkler system shall be provided for Group E occupancies as follows:

1. Throughout all Group E fire areas greater than 12,000 square feet (1115 m²) in area.
2. Throughout every portion of educational buildings below the lowest level of exit discharge serving that portion of the building.

Exception: An automatic sprinkler system is not required in any area below the lowest level of exit discharge serving that area where every classroom throughout the building has at least one exterior exit door at ground level.

903.2.4 Group F-1. An automatic sprinkler system shall be provided throughout all buildings containing a Group F-1 occupancy where one of the following conditions exists:

1. A Group F-1 fire area exceeds 12,000 square feet (1115 m²).
2. A Group F-1 fire area is located more than three stories above grade plane.
3. The combined area of all Group F-1 fire areas on all floors, including any mezzanines, exceeds 24,000 square feet (2230 m²).

903.2.4.1 Woodworking operations. An automatic sprinkler system shall be provided throughout all Group F-1 occupancy fire areas that contain woodworking operations in excess of 2,500 square feet in area (232 m²) which generate finely divided combustible waste or which use finely divided combustible materials.

903.2.5 Group H. Automatic sprinkler systems shall be provided in high-hazard occupancies as required in Sections 903.2.5.1 through 903.2.5.3.

903.2.5.1 General. An automatic sprinkler system shall be installed in Group H occupancies.

903.2.5.2 Group H-5 occupancies. An automatic sprinkler system shall be installed throughout buildings containing Group H-5 occupancies. The design of the sprinkler system shall not be less than that required under the *International Building Code* for the occupancy hazard classifications in accordance with Table 903.2.5.2.

Where the design area of the sprinkler system consists of a corridor protected by one row of sprinklers, the maximum number of sprinklers required to be calculated is 13.

**TABLE 903.2.5.2
GROUP H-5 SPRINKLER DESIGN CRITERIA**

LOCATION	OCCUPANCY HAZARD CLASSIFICATION
Fabrication areas	Ordinary Hazard Group 2
Service corridors	Ordinary Hazard Group 2
Storage rooms without dispensing	Ordinary Hazard Group 2
Storage rooms with dispensing	Extra Hazard Group 2
Corridors	Ordinary Hazard Group 2

903.2.5.3 Pyroxylin plastics. An automatic sprinkler system shall be provided in buildings, or portions thereof, where cellulose nitrate film or pyroxylin plastics are manufactured, stored or handled in quantities exceeding 100 pounds (45 kg).

903.2.6 Group I. An automatic sprinkler system shall be provided throughout buildings with a Group I fire area.

Exception: An automatic sprinkler system installed in accordance with Section 903.3.1.2 or 903.3.1.3 shall be allowed in Group I-1 facilities.

903.2.7 Group M. An automatic sprinkler system shall be provided throughout buildings containing a Group M occupancy where one of the following conditions exists:

1. A Group M fire area exceeds 12,000 square feet (1115 m²).
2. A Group M fire area is located more than three stories above grade plane.
3. The combined area of all Group M fire areas on all floors, including any mezzanines, exceeds 24,000 square feet (2230 m²).

903.2.7.1 High-piled storage. An automatic sprinkler system shall be provided as required in Chapter 23 in all buildings of Group M where storage of merchandise is in

Fire Board of Appeals Staff Summary Report

Agenda Item: USOTC Velodrome 250 S Union Blvd

Report Completed By: FPE Chip Taylor

Project History: The USOTC Velodrome is currently an A-5 occupancy with a temporary air membrane structure erected above the facility. The USOTC is proposing to make this temporary structure permanent, and submit for a change of occupancy through PPRBD to make this structure an A-4 occupancy.

Per the architect, Perkins Will, this building will be classified as a Class IIB unlimited area building per 2009 IBC, Section 507. Per 2009 IFC sections 903.2.1.4 and 907.2.1 a fire sprinkler and manual fire alarm system is required. However, IBC 507.3 Exception #2 allows for the fire sprinklers to be omitted from A-4 occupancies if certain criteria are met. The IBC Commentary for this section clarifies that the exception is for the participant sports area only; all other areas are required to be equipped with fire sprinklers (i.e. spectator seating, locker rooms, etc...). The IFC does not have a corresponding exception to omit fire sprinklers from A-4 occupancies. The sections of the code do not change for the soon to be adopted 2015 I codes.

Per the April 3, 2018 meeting between Perkins Will and PPRBD and the 4/26/18 email from Jay Eenhuis with PPRBD, PPRBD will accept the A-4 occupancy not being protected with fire sprinklers. PPRBD's opinion is that the entire structure is for participants/coaches and thus meets the exception and commentary requirements of IBC. This structure also meets the other criteria for locations of exit doors and fire alarm pull stations to be able to apply this exception.

The current approved occupancy load for this structure is 200. As part of the change of occupancy process, it is proposed that the occupancy load will be raised to 299. During the normal training use of this facility, the occupancy load will range between 20 -45 people. However, CSFD has allowed temporary occupancy load increases for special events in the past for up to a maximum of 400 occupants. Per my phone call with Mira Theisen with Perkins Will, USOTC's intention is to use this facility for training only for the majority of the time, and to only host a high occupancy event once a year.

In lieu of a fire sprinkler system, USOTC is proposing to provide an automatic fire alarm system in this facility which is above the requirement for a manual fire alarm system specified by IFC.

Applicable Code(s): 2009 IBC and 2009 IFC
2009 IBC Commentary and 2009 IFC Commentary

Specific Code Reference(s) and Summary/Summaries: IBC 507.3 Exception #2; IFC 903.2.1.4 and 907.2.1

Additional Considerations

Fire Board of Appeals Staff Summary Report

Year Built/Remodeled: 2014 construction plans approved for temporary air membrane enclosure

Occupancy Type: A-5 with proposed occupancy change to A-4

Occupant Load: 200 with proposed increase to 299

Square Footage: 116,653

Construction Type: IIB

Sprinkled: No

Alarmed: Manual fire alarm with proposed upgrade to an automatic fire alarm

Contractor Licensing Details:

Further Considerations:

*This appeal may proceed to the Fire Board of Appeals.
Butler 5/1/18*

Fire Board of Appeals Staff Summary Report

CSFD Recommendations for Resolution

Recommendation: Due to the structure used to enclose the Velodrome, the normal occupancy load of 20-45, minimal combustibles present, and existing manual fire alarm system I recommend approval this variance request with the following conditions:

1. Allow the maximum occupancy load be increased to 400 with no temporary increases allowed. This corresponds to previous maximum temporary occupancy load increases approved by CSFD. This will allow the USOTC to host their annual event each year without having to provide submittals to CSFD for review and approval for temporary occupancy load increases.
2. Due to the construction of the Velodrome enclosure and the feasibility of installing an automatic fire alarm system, it is acceptable to retain the manual fire alarm system that is currently installed in this facility.
3. In order to maintain low fuel loading within this facility, merchandise sales and food vending is not allowed within the building. These activities are permitted outside the Velodrome with the correct permits.
4. USOTC is to prepare an emergency response plan for the Velodrome to ensure that measures are in place to ensure the above provisions are not violated. This emergency response plan must be submitted to CSFD for review and approval per IFC 404.
5. The facility will now be required to obtain a CSFD A occupancy annual permit per IFC 105.6.34.

Attachments:

- ☒ Photos
- ☒ Floor Plan
- ☒ Code References
- ☐ Data Sheets
- ☐ Inspection/Plan Review Reports
- ☒ Correspondence
- ☐ Contractor Licensing Details
- ☐ Timeline

Signature: _____

Date: _____

2. For buildings with three or more *stories above grade plane*, multiply by 3; and
3. No *story* shall exceed the allowable *building area per story* (A_s), as determined in Section 506.1, for the occupancies on that *story*.

Exceptions:

1. Unlimited area buildings in accordance with Section 507.
2. The maximum *building area* of a building equipped throughout with an *automatic sprinkler system* in accordance with Section 903.3.1.2 shall be determined by multiplying the allowable *building area per story* (A_s), as determined in Section 506.1, by the number of *stories above grade plane*.

506.5 Mixed occupancy area determination. The total allowable *building area* for buildings containing mixed occupancies shall be determined in accordance with the applicable provisions of this section. A single basement need not be included in the total allowable *building area*, provided such basement does not exceed the area permitted for a building with no more than one *story above grade plane*.

506.5.1 No more than one story above grade plane. For buildings with no more than one *story above grade plane* and containing mixed occupancies, the total *building area* shall be determined in accordance with the applicable provisions of Section 508.1.

506.5.2 More than one story above grade plane. For buildings with more than one *story above grade plane* and containing mixed occupancies, each *story* shall individually comply with the applicable requirements of Section 508.1. For buildings with more than three *stories above grade plane*, the total *building area* shall be such that the aggregate sum of the ratios of the actual area of each *story* divided by the allowable area of such *stories* based on the applicable provisions of Section 508.1 shall not exceed 3.

SECTION 507 UNLIMITED AREA BUILDINGS

507.1 General. The area of buildings of the occupancies and configurations specified herein shall not be limited.

507.2 Nonsprinklered, one story. The area of a Group F-2 or S-2 building no more than one *story* in height shall not be limited when the building is surrounded and adjoined by *public ways* or *yards* not less than 60 feet (18 288 mm) in width.

507.3 Sprinklered, one story. The area of a Group B, F, M or S building no more than one *story above grade plane*, or a Group A-4 building no more than one *story above grade plane* of other than Type V construction, shall not be limited when the building is provided with an *automatic sprinkler system* throughout in accordance with Section 903.3.1.1 and is surrounded and adjoined by *public ways* or *yards* not less than 60 feet (18 288 mm) in width.

Exceptions:

1. Buildings and structures of Types I and II construction for rack storage facilities that do not have access

by the public shall not be limited in height, provided that such buildings conform to the requirements of Sections 507.3, 903.3.1.1 and Chapter 23 of the *International Fire Code*.

2. The *automatic sprinkler system* shall not be required in areas occupied for indoor participant sports, such as tennis, skating, swimming and equestrian activities in occupancies in Group A-4, provided that:

- 2.1. *Exit* doors directly to the outside are provided for occupants of the participant sports areas; and
- 2.2. The building is equipped with a fire alarm system with manual fire alarm boxes installed in accordance with Section 907.

507.3.1 Mixed occupancy buildings with Groups A-1 and A-2. Group A-1 and A-2 occupancies of other than Type V construction shall be permitted within mixed occupancy buildings of unlimited area complying with Section 507.3, provided:

1. Group A-1 and A-2 occupancies are separated from other occupancies as required for separated occupancies in Section 508.4.4 with no reduction allowed in the *fire-resistance rating* of the separation based upon the installation of an *automatic sprinkler system*;
2. Each area of the portions of the building used for Group A-1 or A-2 occupancies shall not exceed the maximum allowable area permitted for such occupancies in Section 503.1; and
3. All *exit* doors from Group A-1 and A-2 occupancies shall discharge directly to the exterior of the building.

507.4 Two story. The area of a Group B, F, M or S building no more than two *stories above grade plane* shall not be limited when the building is equipped throughout with an *automatic sprinkler system* in accordance with Section 903.3.1.1, and is surrounded and adjoined by *public ways* or *yards* not less than 60 feet (18 288 mm) in width.

507.5 Reduced open space. The *public ways* or *yards* of 60 feet (18 288 mm) in width required in Sections 507.2, 507.3, 507.4, 507.6 and 507.11 shall be permitted to be reduced to not less than 40 feet (12 192 mm) in width provided all of the following requirements are met:

1. The reduced width shall not be allowed for more than 75 percent of the perimeter of the building.
2. The *exterior walls* facing the reduced width shall have a minimum *fire-resistance rating* of 3 hours.
3. Openings in the *exterior walls* facing the reduced width shall have opening protectives with a minimum *fire protection rating* of 3 hours.

507.6 Group A-3 buildings of Type II construction. The area of a Group A-3 building no more than one *story above grade plane*, used as a *place of religious worship*, community hall, dance hall, exhibition hall, gymnasium, lecture hall, indoor swimming pool or tennis court of Type II construction, shall not be limited when all of the following criteria are met:

1. The building shall not have a stage other than a platform.

B—37,500 square feet (3484 m²).

The second story is larger than that permitted for a Group A-3 occupancy; however, since the Group A-3 occupancy is less than 10 percent of the area of the second story, it qualifies as an accessory occupancy if subsidiary to the Group B occupancy.

In this instance, each story individually qualifies based on the applicable mixed-occupancy provision.

Example: Sprinklered, four-story Type IIB building, no frontage increase.

First story:	Group B occupancy—
	20,000 square feet (1858 m ²)
	Group M occupancy—
	25,000 square feet (3159 m ²)
Second story:	Group A-3 occupancy—
	4,000 square feet (372 m ²)
	Group B occupancy—
	41,000 square feet (3809 m ²)
Third story:	Group B occupancy—
	15,000 square feet (1394 m ²)
	Group S-1 occupancy—
	15,000 square feet (1394 m ²)
	Group F-1 occupancy—
	15,000 square feet (1394 m ²)
Fourth story:	Group B occupancy—
	10,000 square feet (929 m ²)
	Group S-2 occupancy—
	35,000 square feet (3252 m ²)

The first story does not qualify as an accessory or nonseparated occupancy. As separated occupancies, the ratio on the story is 0.96 [(20,000/69,000) + (25,000/37,500)].

The second story is larger than that permitted for a Group A-3 occupancy; however, since the Group A-3 occupancy is less than 10 percent of the area of the second story, it qualifies as an accessory occupancy if subsidiary to the Group B occupancy. The ratio on the story is 0.65 (45,000/69,000).

The third story qualifies as a nonseparated occupancy since the allowable area per story for the most restrictive occupancy (Group F-1; 46,500 square feet) is larger than the actual area on any individual story. The ratio of the floor is 0.97 (45,000/46,500).

The fourth floor qualifies as a nonseparated occupancy since the allowable area per floor for the most restrictive occupancy (Group B; 69,000 square feet) is larger than the actual area on any individual story. The ratio of the story is 0.65 (45,000/69,000).

The aggregate sum of the ratios is 3.23 (0.96 + 0.65 + 0.97 + 0.65). Since the aggregate sum of the ratios exceeds three, Type IIB construction would not be permitted without further modification.

SECTION 507 UNLIMITED AREA BUILDINGS

507.1 General. The area of buildings of the occupancies and configurations specified herein shall not be limited.

❖ This section addresses circumstances under which a building would be allowed to be constructed unlimited in building area. Depending upon the height (in stories) of the structure and the occupancy classification, the code presents different circumstances that would allow an unlimited area building. There is a common thread among the requirements for these facilities:

1. Except for the option in Section 507.2, the building is equipped throughout with an automatic sprinkler system.
2. The building is surrounded by increased open space, usually 60 feet (18 288 mm) in width.
3. The buildings are limited to one or two stories above grade plane, basements are not permitted.

In all cases the open space can occur either within public ways surrounding the site, or by yards provided on the lot between the building and the lot lines, or a combination of yards and public ways. Where a yard is used to achieve the open space, it must be on the same lot as the building receiving the benefit. With respect to the 60 feet (18 288 mm), the code does not specify how much of the public way can be included. (Fire separation distance, which is a different requirement, requires measurement to the centerline of the public way.) The open space must be provided in all directions around the perimeter of the building, not just measured at right angles to the building (see Figure 507.1). Two unlimited area buildings on the same property must be separated by 60 feet (18 288 mm) [or 40 feet (12 192 mm) if Section 507.5 is used] or they must be treated as the same building.

The open space located on the private property does not need to be dedicated to the public or publicly owned, but can be the location of parking, landscaping, roadways and other minor accessory features (tanks, generators, trash dumpster enclosures) (see IBC Interpretation No. 20-03). However, the yard cannot be occupied by any exterior use that is essentially a continuation of use of the building. For example, many big box retailers will have an adjoining lawn and garden merchandise area; or a lumber supply area that is only partially enclosed by walls, fencing and roof covering. This type of use would need to be considered part of the unlimited area building, and the 60 feet (18 288 mm) of open space provided beyond this area (see IBC Interpretation No. 03-05).

The open areas serve two key roles: separation of

these buildings from other buildings and ample space on all sides for fire-fighting operations. These buildings are limited to stories above grade plane because basements would not be directly accessible for fire fighting.

Please note that Section 507.5 permits a reduction in the open space in exchange for increased wall and opening protection.

507.2 Nonsprinklered, one story. The area of a Group F-2 or S-2 building no more than one story in height shall not be limited when the building is surrounded and adjoined by public ways or yards not less than 60 feet (18 288 mm) in width.

❖ By definition, occupancies of Groups F-2 and S-2 are not permitted to contain significant amounts of combustible materials (see Sections 306.3 and 311.3); therefore, because the fire load of the contents is lower, the hazard is lower. No other structures may be located within the 60-foot-wide (18 288 mm) open space required around the building, and the open space must be on the same lot and dedicated for public use to preclude any reduction of this isolation of the building. The type of construction is not restricted, and sprinklers are not required for unlimited area buildings containing Group F-2 and S-2 occupancies, provided the building is no more than one story above grade plane.

507.3 Sprinklered, one story. The area of a Group B, F, M or S building no more than one story above grade plane, or a Group A-4 building no more than one story above grade plane of other than Type V construction, shall not be limited when the building is provided with an automatic sprinkler system throughout in accordance with Section 903.3.1.1 and is surrounded and adjoined by public ways or yards not less than 60 feet (18 288 mm) in width.

Exceptions:

1. Buildings and structures of Types I and II construction for rack storage facilities that do not have access

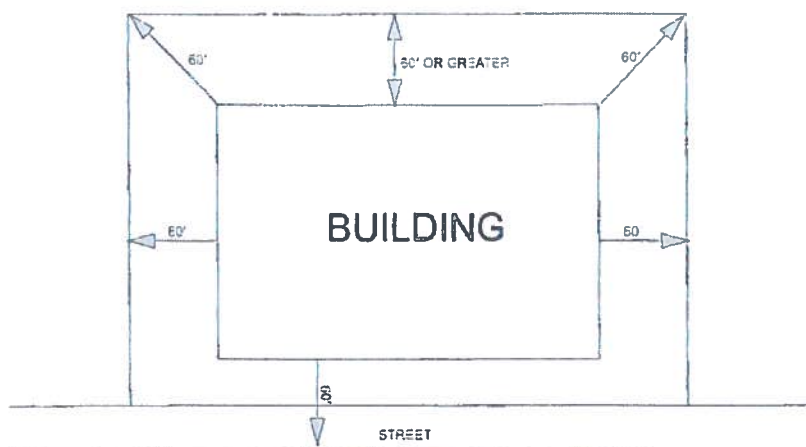
by the public shall not be limited in height, provided that such buildings conform to the requirements of Sections 507.3, 903.3.1.1 and Chapter 23 of the *International Fire Code*.

2. The automatic sprinkler system shall not be required in areas occupied for indoor participant sports, such as tennis, skating, swimming and equestrian activities in occupancies in Group A-4, provided that:

- 2.1. Exit doors directly to the outside are provided for occupants of the participant sports areas; and
- 2.2. The building is equipped with a fire alarm system with manual fire alarm boxes installed in accordance with Section 907.

❖ Because of the excellent record in controlling and preventing fires, the installation of a sprinkler system throughout single-story buildings of the listed groups, individually or in combination, permits them to be unlimited in area, as long as they are surrounded by public ways or yards not less than 60 feet (18 288 mm) in width (IBC Interpretation No. 44-06). This also applies to two-story above-grade-plane buildings of these groups, with the exception of Group A-4 (see Section 507.4).

The life-safety hazards in buildings of these occupancies, because of the typical activities of the occupants and their level of awareness, are considered low enough that larger building areas and increased fire loads can be tolerated. For Groups B, F, M and S, this section may be applied to buildings of all construction types; it is not limited to noncombustible construction only. For Group A-4 indoor arenas, the unlimited area provision can be applied to buildings of Type I, II, III and IV construction only. This reflects the size of the occupant load in these types of facilities. The sprinkler system is required to be designed and installed in accordance with NFPA 13 (see Section 903.3.1.1). The



For SI: 1 foot = 304.8 mm

Figure 507.1
REQUIRED SEPARATION FOR UNLIMITED AREA BUILDINGS

height of the unlimited area building cannot exceed the limits established in Table 503 and Section 504.2 for the occupancy and type of construction.

Exception 1 specifically permits Type I and II buildings with rack storage to be unlimited in height if they are surrounded by 60 feet (18 288 mm) of open space, do not permit access by the public and comply with NFPA 13 and Chapter 23 of the IFC. These standards contain provisions for storage configuration, in-rack sprinkler coverage and system requirements that offset the hazard introduced by increased height.

Exception 2 exempts providing a sprinkler system in certain areas of unlimited area Group A-4 occupancies where a lack of fuel loading and excessive ceiling heights would reduce the need for, and effectiveness of the system. Group A-4 occupancies frequently have indoor participant sports areas, such as tennis courts, skating rinks, swimming pools, baseball fields, basketball courts and equestrian activities, with spectator seating usually situated around the perimeter of the sports field or area. These types of indoor recreation areas often require very large, open areas with such high ceilings that the installation of an automatic sprinkler system in the immediate participant sport area would be ineffective. The potential for significant fire involvement in such an area is generally quite low because of the low fuel load; therefore, sprinkler coverage is unnecessary for the playing field in most of these buildings. These areas are, therefore, exempt from the suppression requirement of this section, provided the conditions regarding exiting and the required fire alarm system are met. When an indoor arena or sports facility is built without suppression in the participant sport area, occupants of the playing field or participant sport area must be able to exit the building directly from the playing area, without having to pass through other parts of the building. This eliminates the hazard of having to pass through higher fuel load areas such as locker rooms or concession areas. The building must also be equipped with a manual alarm system that complies with Section 907. This manual alarm system provides an additional and acceptable level of life safety in spite of the omission of sprinklers over the playing field area. This exception only applies to Group A-4 occupancies that are contained within an unlimited area building.

Omission of sprinkler coverage is permitted in the unlimited area building for the participant sport area only. All other areas are required to be equipped with an automatic sprinkler system. This includes all other rooms and spaces in the building, such as the spectator seating areas, locker rooms, restaurants, lounges, shops, arcades, skyboxes and storage areas.

507.3.1 Mixed occupancy buildings with Groups A-1 and A-2. Group A-1 and A-2 occupancies of other than Type V construction shall be permitted within mixed occupancy build-

ings of unlimited area complying with Section 507.3, provided:

1. Group A-1 and A-2 occupancies are separated from other occupancies as required for separated occupancies in Section 508.4.4 with no reduction allowed in the *fire-resistance rating* of the separation based upon the installation of an *automatic sprinkler system*;
 2. Each area of the portions of the building used for Group A-1 or A-2 occupancies shall not exceed the maximum allowable area permitted for such occupancies in Section 503.1; and
 3. All *exit* doors from Group A-1 and A-2 occupancies shall discharge directly to the exterior of the building.
- ❖ This section allows Group A-1 and A-2 occupancies in mixed occupancy, single-story unlimited area buildings under limited conditions. A typical example of a practical application of this would be the construction of a strip mall that is mainly for retail stores, but might contain a restaurant or a movie theater, or both. Group A-1 or A-2 buildings would not be permitted as stand-alone unlimited area buildings. Similar to the requirement in Section 507.3 for Group A-4 buildings, unlimited area buildings that contain a Group A-1 or A-2 occupancy are not permitted to be built of Type V construction.

The restrictions on the use of Group A-1 or A-2 occupancies in mixed occupancy, unlimited area buildings include: (1) required separation; (2) limited area of each Group A occupancy to the area allowed in Section 503.1; and (3) all required exits discharging to the exterior.

Item 1 states that the Group A-1 or A-2 occupancy is required to be separated from the rest of the unlimited area building by fire barriers in accordance with Section 508.4.4. For example, if a strip mall contains mercantile facilities next to a theater (Group A-1), the theater would need to be separated from the mercantile facilities by a 2-hour fire barrier, as determined from Table 508.4. Although the unlimited area building is required to be sprinklered, the required fire-resistance rating for the Group A-1 or A-2 occupancy separation must be based on the nonsprinklered entry in Table 508.4 (i.e., no reduction is permitted in the fire-resistance rating of the separation due to the presence of the sprinkler system).

Item 2 requires each Group A-1 or A-2 area to be limited to that allowed by Section 503.1. For example, if the strip mall mentioned above were Type IIB construction, the allowable area of the theater would be 34,000 square feet (3159 m²) [tabular value of 8,500 square feet (790 m²) × 4]. Note that the allowable area is increased by 300 percent as permitted by Section 506.3 for single-story buildings equipped with fire sprinklers. The allowable area could also be increased for frontage in accordance with Section 506.2, de-

903.2.1.4 Group A-4. An automatic sprinkler system shall be provided for Group A-4 occupancies where one of the following conditions exists:

1. The fire area exceeds 12,000 square feet (1115 m²).
2. The fire area has an occupant load of 300 or more.
3. The fire area is located on a floor other than a level of exit discharge serving such occupancies.

903.2.1.5 Group A-5. An automatic sprinkler system shall be provided for Group A-5 occupancies in the following areas: concession stands, retail areas, press boxes and other accessory use areas in excess of 1,000 square feet (93 m²).

[F] 903.2.2 Group B ambulatory health care facilities. An automatic sprinkler system shall be installed throughout all fire areas containing a Group B ambulatory health care facility occupancy when either of the following conditions exist at any time:

1. Four or more care recipients are incapable of self-preservation.
2. One or more care recipients who are incapable of self-preservation are located at other than the level of exit discharge serving such an occupancy.

903.2.3 Group E. An automatic sprinkler system shall be provided for Group E occupancies as follows:

1. Throughout all Group E fire areas greater than 12,000 square feet (1115 m²) in area.
2. Throughout every portion of educational buildings below the lowest level of exit discharge serving that portion of the building.

Exception: An automatic sprinkler system is not required in any area below the lowest level of exit discharge serving that area where every classroom throughout the building has at least one exterior exit door at ground level.

903.2.4 Group F-1. An automatic sprinkler system shall be provided throughout all buildings containing a Group F-1 occupancy where one of the following conditions exists:

1. A Group F-1 fire area exceeds 12,000 square feet (1115 m²).
2. A Group F-1 fire area is located more than three stories above grade plane.
3. The combined area of all Group F-1 fire areas on all floors, including any mezzanines, exceeds 24,000 square feet (2230 m²).

903.2.4.1 Woodworking operations. An automatic sprinkler system shall be provided throughout all Group F-1 occupancy fire areas that contain woodworking operations in excess of 2,500 square feet in area (232 m²) which generate finely divided combustible waste or which use finely divided combustible materials.

903.2.5 Group H. Automatic sprinkler systems shall be provided in high-hazard occupancies as required in Sections 903.2.5.1 through 903.2.5.3.

903.2.5.1 General. An automatic sprinkler system shall be installed in Group H occupancies.

903.2.5.2 Group H-5 occupancies. An automatic sprinkler system shall be installed throughout buildings containing Group H-5 occupancies. The design of the sprinkler system shall not be less than that required under the *International Building Code* for the occupancy hazard classifications in accordance with Table 903.2.5.2.

Where the design area of the sprinkler system consists of a corridor protected by one row of sprinklers, the maximum number of sprinklers required to be calculated is 13.

**TABLE 903.2.5.2
GROUP H-5 SPRINKLER DESIGN CRITERIA**

LOCATION	OCCUPANCY HAZARD CLASSIFICATION
Fabrication areas	Ordinary Hazard Group 2
Service corridors	Ordinary Hazard Group 2
Storage rooms without dispensing	Ordinary Hazard Group 2
Storage rooms with dispensing	Extra Hazard Group 2
Corridors	Ordinary Hazard Group 2

903.2.5.3 Pyroxylin plastics. An automatic sprinkler system shall be provided in buildings, or portions thereof, where cellulose nitrate film or pyroxylin plastics are manufactured, stored or handled in quantities exceeding 100 pounds (45 kg).

903.2.6 Group I. An automatic sprinkler system shall be provided throughout buildings with a Group I fire area.

Exception: An automatic sprinkler system installed in accordance with Section 903.3.1.2 or 903.3.1.3 shall be allowed in Group I-1 facilities.

903.2.7 Group M. An automatic sprinkler system shall be provided throughout buildings containing a Group M occupancy where one of the following conditions exists:

1. A Group M fire area exceeds 12,000 square feet (1115 m²).
2. A Group M fire area is located more than three stories above grade plane.
3. The combined area of all Group M fire areas on all floors, including any mezzanines, exceeds 24,000 square feet (2230 m²).

903.2.7.1 High-piled storage. An automatic sprinkler system shall be provided as required in Chapter 23 in all buildings of Group M where storage of merchandise is in

into more than one fire area. However, if all the fire areas are less than 12,000 square feet (1115 m²) (and less than the other thresholds) then sprinklers would not be required. Compartmentalization into multiple fire areas in compliance with Chapter 7 of the IBC is deemed an adequate alternative to sprinkler protection.

Condition 2 establishes the minimum number of occupants for which a suppression system is considered necessary. The determination of the actual occupant load must be based on Section 1004.

Condition 3 accounts for occupant egress delay when traversing a stairway, requiring a sprinkler system regardless of the size of occupant load. In such cases alternative emergency escape elements such as windows may not be available, making the suppression needs all the greater. It is not necessary for the occupant load to exceed 300 on a level other than the level of exit discharge serving such occupancy. Any number of Group A-1 occupants on the alternative level would be cause to apply the requirement for sprinklers. The text does not make reference to "story" but uses the term "floor," which could include mezzanines and basements.

Condition 4 states that a sprinkler system is required for multiplex theater complexes to account for the delay associated with the notification of adjacent compartmentalized spaces where the occupants may not be immediately aware of an emergency.

903.2.1.2 Group A-2. An automatic sprinkler system shall be provided for Group A-2 occupancies where one of the following conditions exists:

1. The fire area exceeds 5,000 square feet (464 m²).
2. The fire area has an occupant load of 100 or more.
3. The fire area is located on a floor other than a level of exit discharge serving such occupancies.

❖ Group A-2 assembly occupancies are intended for food or drink consumption, such as banquet halls, nightclubs and restaurants. Occupancies in Group A-2 involve life safety factors such as a high occupant density, flexible fuel loading, movable furnishings and limited lighting; therefore, they must be protected with an automatic sprinkler system under any of the listed conditions.

In the case of an assembly use, the purpose of the automatic sprinkler system is to provide life safety from fire as well as preserving property. By requiring fire suppression in areas through which the occupants may egress, including the level of exit discharge serving such occupancies, the possibility of unobserved fire development affecting the occupant egress is minimized.

The 5,000-square-foot threshold for the automatic sprinkler system reflects the higher degree of life safety hazard associated with Group A-2 occupancies. As alluded to earlier, Group A-2 occupancies could have low lighting levels, loud music, late hours of operation, dense seating with ill-defined aisles and

alcoholic beverage service. These factors in combination could delay fire recognition, confuse occupant response and increase egress time.

Although the calculated occupant load for a 5,000 square-foot (465 m²) space at 15 square feet (1.4 m²) per occupant would be over 100, the occupant load threshold in Condition 2 is meant to reflect the concern for safety in these higher density occupancies. Although the major reason for establishing the occupant threshold at 100 was due to several recent nightclub incidents, the requirement is not limited to nightclubs or banquet facilities but to all Group A-2 occupancies. Any restaurant with an occupant load greater than 100 would require sprinkler protection as well. This includes fast food facilities with no low lighting or alcohol sales.

The similar intent of Condition 3 is addressed in the commentary to Section 903.2.1.1.

These conditions require sprinklers throughout the fire area containing the Group A-2 occupancy, regardless of the number of fire areas present.

903.2.1.3 Group A-3. An automatic sprinkler system shall be provided for Group A-3 occupancies where one of the following conditions exists:

1. The fire area exceeds 12,000 square feet (1115 m²).
2. The fire area has an occupant load of 300 or more.
3. The fire area is located on a floor other than a level of exit discharge serving such occupancies.

❖ Group A-3 occupancies are assembly occupancies intended for worship, recreation or amusement and other assembly uses not classified elsewhere in Group A, such as churches, museums and libraries. While Group A-3 occupancies could potentially have a high occupant load, they normally do not have the same potential combination of life safety hazards associated with Group A-2 occupancies. As with most assembly occupancies, however, most of the occupants are typically not completely familiar with their surroundings. When any of the three listed conditions are applicable, an automatic sprinkler system is required throughout the fire area containing the Group A-3 occupancy and in all floors between the Group A occupancy and exit discharge that serves that occupancy (see commentary, Sections 903.2.1 and 903.2.1.1).

903.2.1.4 Group A-4. An automatic sprinkler system shall be provided for Group A-4 occupancies where one of the following conditions exists:

1. The fire area exceeds 12,000 square feet (1115 m²).
2. The fire area has an occupant load of 300 or more.
3. The fire area is located on a floor other than a level of exit discharge serving such occupancies.

❖ Group A-4 occupancies are assembly uses intended for viewing of indoor sporting events and activities such as arenas, skating rinks and swimming pools. The

occupant load density may be high depending on the extent and style of seating, such as bleachers or fixed seats, and the potential for standing-room viewing.

When any of the three listed conditions are applicable, an automatic sprinkler system is required throughout the fire area containing the Group A-4 occupancy and in all floors between the Group A occupancy and exit discharge (see commentary, Sections 903.2.1 and 903.2.1.1).

903.2.1.5 Group A-5. An automatic sprinkler system shall be provided for Group A-5 occupancies in the following areas: concession stands, retail areas, press boxes and other accessory use areas in excess of 1,000 square feet (93 m²).

❖ Group A-5 occupancies are assembly uses intended for viewing of outdoor activities. This occupancy classification could include amusement park structures, grandstands and open stadiums. A sprinkler system is not required in the open area of Group A-5 occupancies because the buildings would not accumulate smoke and hot gases. A fire in open areas would also be obvious to all spectators.

Enclosed areas such as retail areas, press boxes and concession stands require sprinklers if they are in excess of 1,000 square feet (93 m²). The 1,000-square-foot (93 m²) accessory use area is not intended to be an aggregate condition but rather per space. Thus, a press box that is 2,500 square feet (232 m²) in area would need to be subdivided into areas less than 1,000 square feet (93 m²) each in order to be below the threshold for sprinklers. There is no specific requirement for the separation of these spaces. It is assumed, however, that the separation would be a solid barrier of some type but without a required fire-resistance rating.

The provision is meant to mirror that in Section 1028.6.2.3, which exempts press boxes and storage facilities less than 1,000 square feet (93 m²) in area from sprinkler requirements in smoke-protected assembly seating areas.

[F] 903.2.2 Group B ambulatory health care facilities. An automatic sprinkler system shall be installed throughout all fire areas containing a Group B ambulatory health care facility occupancy when either of the following conditions exist at any time:

1. Four or more care recipients are incapable of self-preservation.
2. One or more care recipients who are incapable of self-preservation are located at other than the level of exit discharge serving such an occupancy.

❖ Group B Ambulatory health care facilities are Group B occupancies but with an enhanced set of requirements to account for the fact that patients may be incapable of self-preservation and require rescue by other occupants or fire personnel. There are several aspects to the enhanced features, including smoke compart-

ments, sprinklers and fire alarm. More specifically the requirements for sprinklers are based upon four or more patients at any given time being incapable of self-preservation or any number of patients that are incapable of self-preservation located on a floor other than the level of exit discharge that serves the Group B ambulatory health care facility. The sprinkler requirement is limited to the fire area that contains the Group B ambulatory health care facility (see commentary, Section 422 of the IBC).

903.2.3 Group E. An automatic sprinkler system shall be provided for Group E occupancies as follows:

1. Throughout all Group E fire areas greater than 12,000 square feet (1115 m²) in area.
2. Throughout every portion of educational buildings below the lowest level of exit discharge serving that portion of the building.

Exception: An automatic sprinkler system is not required in any area below the lowest level of exit discharge serving that area where every classroom throughout the building has at least one exterior exit door at ground level.

❖ Group E occupancies are limited to educational purposes through the 12th grade and day care centers serving children older than 2½ years of age. The 12,000-square-foot (1115 m²) fire area threshold for the sprinkler system was established to allow smaller schools and day care centers to be nonsprinklered to minimize the economic impact on these facilities. The 12,000-square-foot (1115 m²) threshold is similar to that used for several other occupancies, such as Group M occupancies.

Sprinklers would also be required in portions of the building located below the level of exit discharge serving that occupancy. However, there is an exception that would allow the omission of the automatic sprinkler system for the Group E fire area if there is a direct exit to the exterior from each classroom at ground level. The occupants must be able to go from the classroom directly to the outside without passing through intervening corridors, passageways or exit enclosures.

903.2.4 Group F-1. An automatic sprinkler system shall be provided throughout all buildings containing a Group F-1 occupancy where one of the following conditions exists:

1. A Group F-1 fire area exceeds 12,000 square feet (1115 m²).
2. A Group F-1 fire area is located more than three stories above grade plane.
3. The combined area of all Group F-1 fire areas on all floors, including any mezzanines, exceeds 24,000 square feet (2230 m²).

❖ Because of the difficulty in manually suppressing a fire involving a large area, occupancies of Group F-1 must be protected throughout with an automatic sprinkler

11. Details of ceiling height and construction.
12. The interface of fire safety control functions.
13. Classification of the supervising station.

907.1.3 Equipment. Systems and components shall be *listed* and *approved* for the purpose for which they are installed.

907.2 Where required—new buildings and structures. An *approved* fire alarm system installed in accordance with the provisions of this code and NFPA 72 shall be provided in new buildings and structures in accordance with Sections 907.2.1 through 907.2.23 and provide occupant notification in accordance with Section 907.6, unless other requirements are provided by another section of this code.

A minimum of one manual fire alarm box shall be provided in an *approved* location to initiate a fire alarm signal for fire alarm systems employing automatic fire detectors or water-flow detection devices. Where other sections of this code allow elimination of fire alarm boxes due to sprinklers, a single fire alarm box shall be installed.

Exceptions:

1. The manual fire alarm box is not required for fire alarm systems dedicated to elevator recall control and supervisory service.
2. The manual fire alarm box is not required for Group R-2 occupancies unless required by the *fire code official* to provide a means for fire watch personnel to initiate an alarm during a sprinkler system impairment event. Where provided, the manual fire alarm box shall not be located in an area that is accessible to the public.

907.2.1 Group A. A manual fire alarm system that activates the occupant notification system in accordance with Section 907.6 shall be installed in Group A occupancies having an *occupant load* of 300 or more. Portions of Group E occupancies occupied for assembly purposes shall be provided with a fire alarm system as required for the Group E occupancy.

Exception: Manual fire alarm boxes are not required where the building is equipped throughout with an *automatic sprinkler system* installed in accordance with Section 903.3.1.1 and the occupant notification appliances will activate throughout the notification zones upon sprinkler water flow.

907.2.1.1 System initiation in Group A occupancies with an occupant load of 1,000 or more. Activation of the fire alarm in Group A occupancies with an *occupant load* of 1,000 or more shall initiate a signal using an emergency voice/alarm communications system in accordance with Section 907.6.2.2.

Exception: Where *approved*, the prerecorded announcement is allowed to be manually deactivated for a period of time, not to exceed 3 minutes, for the sole purpose of allowing a live voice announcement from

an *approved*, constantly attended location.

907.2.2 Group B. A manual fire alarm system shall be installed in Group B occupancies where one of the following conditions exists:

1. The combined Group B *occupant load* of all floors is 500 or more.
2. The Group B *occupant load* is more than 100 *persons* above or below the lowest level of exit discharge.
3. The Group B *fire area* contains a Group B ambulatory health care facility.

Exception: Manual fire alarm boxes are not required where the building is equipped throughout with an *automatic sprinkler system* installed in accordance with Section 903.3.1.1 and the occupant notification appliances will activate throughout the notification zones upon sprinkler water flow.

907.2.2.1 Group B ambulatory health care facilities. *Fire areas* containing Group B ambulatory health care facilities shall be provided with an electronically supervised automatic smoke detection system installed within the ambulatory health care facility and in public use areas outside of tenant spaces, including public *corridors* and elevator lobbies.

Exception: Buildings equipped throughout with an *automatic sprinkler system* in accordance with Section 903.3.1.1 provided the occupant notification appliances will activate throughout the notification zones upon sprinkler water flow.

907.2.3 Group E. A manual fire alarm system that activates the occupant notification system in accordance with Section 907.6 shall be installed in Group E occupancies. When *automatic sprinkler systems* or smoke detectors are installed, such systems or detectors shall be connected to the building fire alarm system.

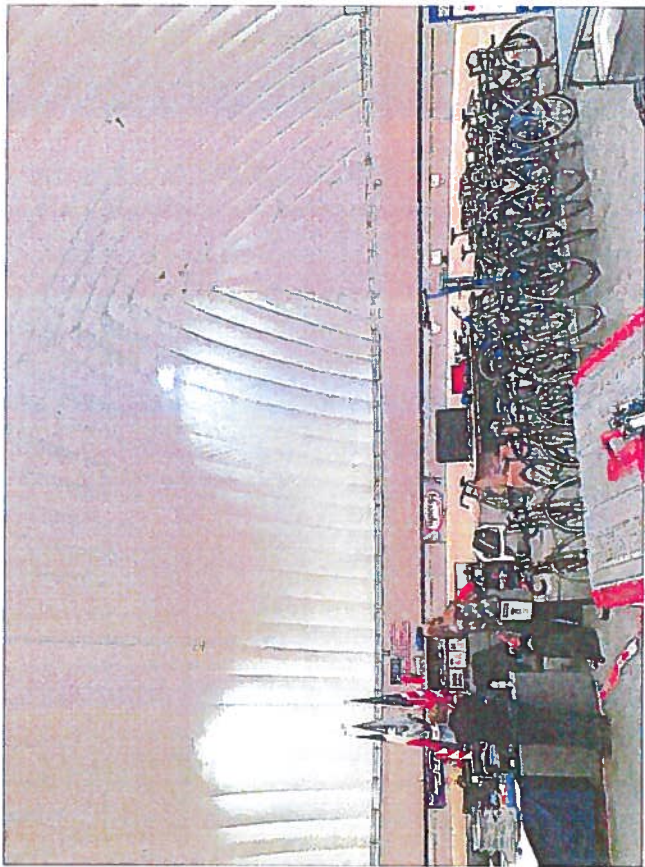
Exceptions:

1. A manual fire alarm system is not required in Group E occupancies with an *occupant load* of less than 50.
2. Manual fire alarm boxes are not required in Group E occupancies where all of the following apply:

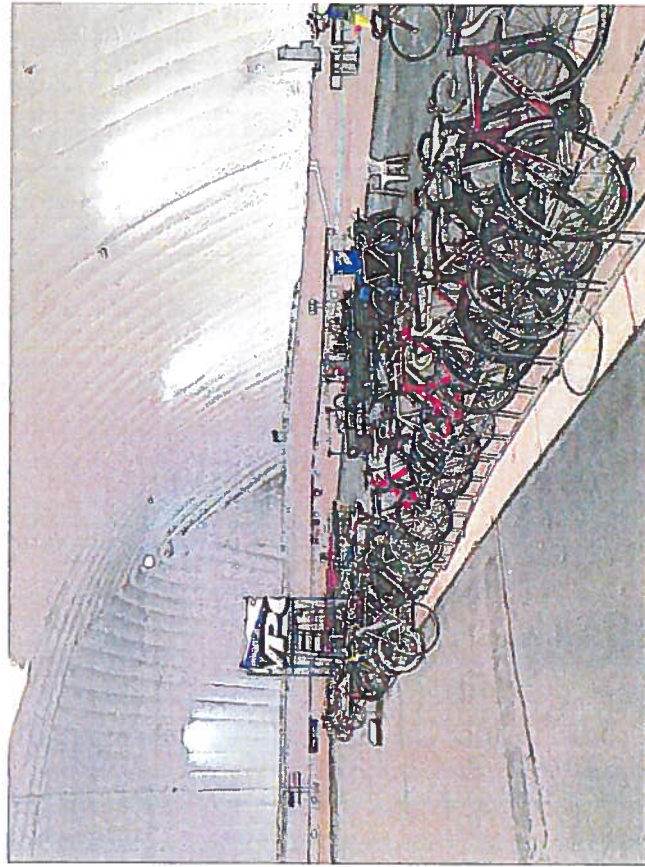
2.1. Interior *corridors* are protected by smoke detectors.

2.2. Auditoriums, cafeterias, gymnasiums and similar areas are protected by *heat detectors* or other *approved* detection devices.

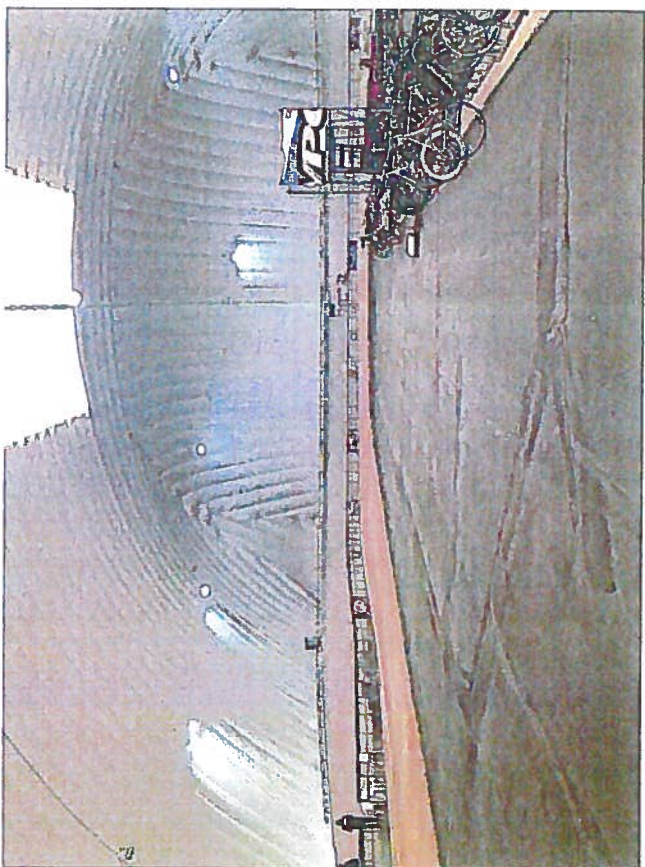
2.3. Shops and laboratories involving dusts or vapors are protected by *heat detectors* or other *approved* detection devices.



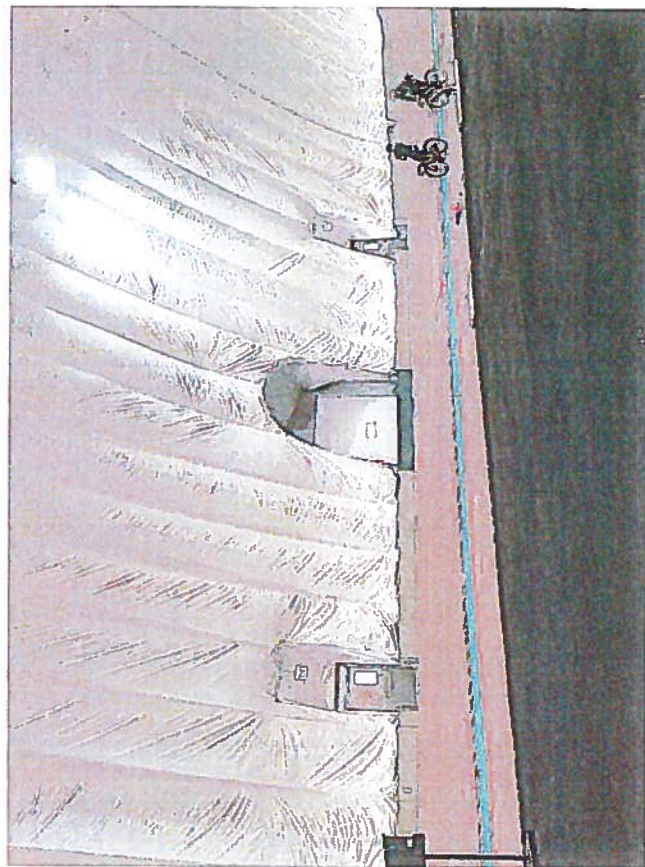
Interior view from infield looking north



Interior view from infield looking southwest



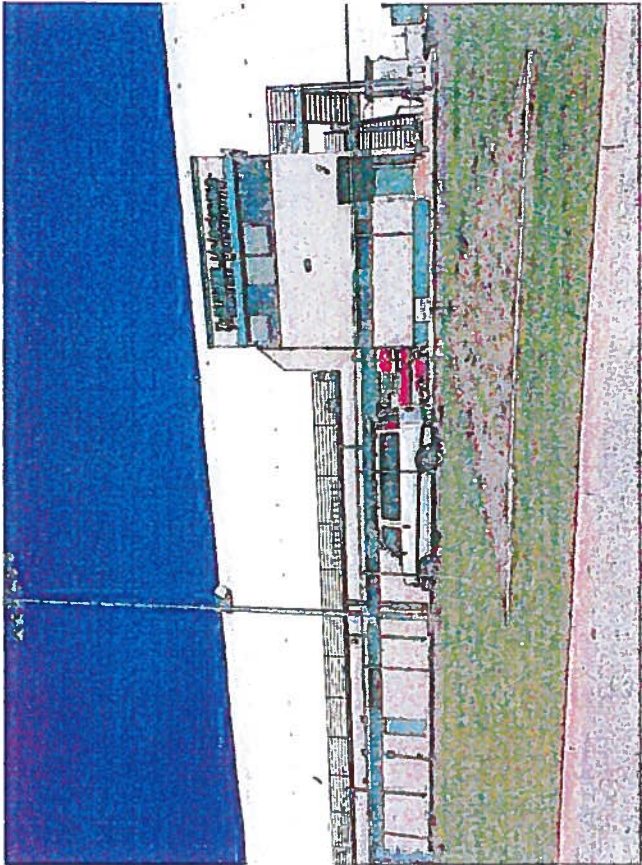
Interior view from infield looking south



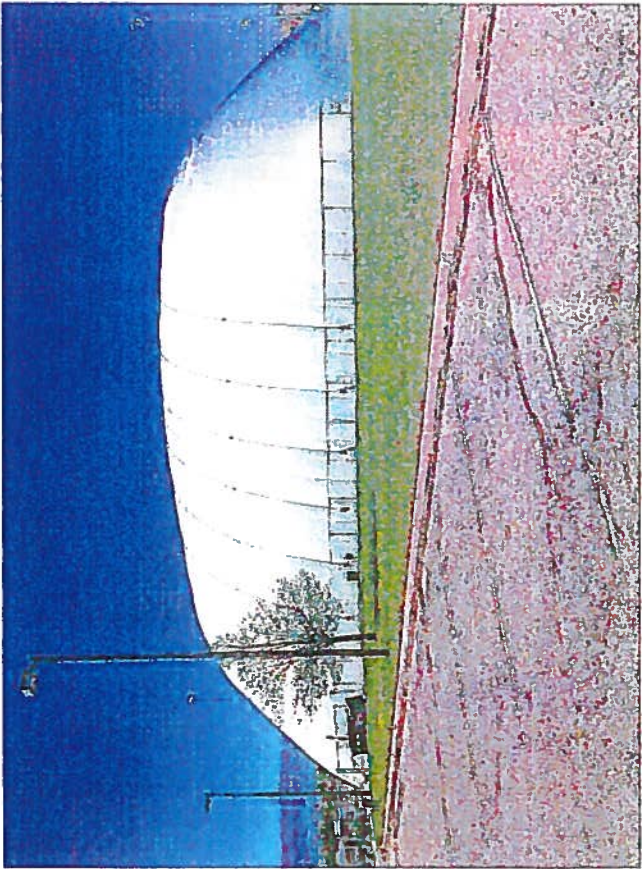
Interior view from infield of east exit doors and access tunnel



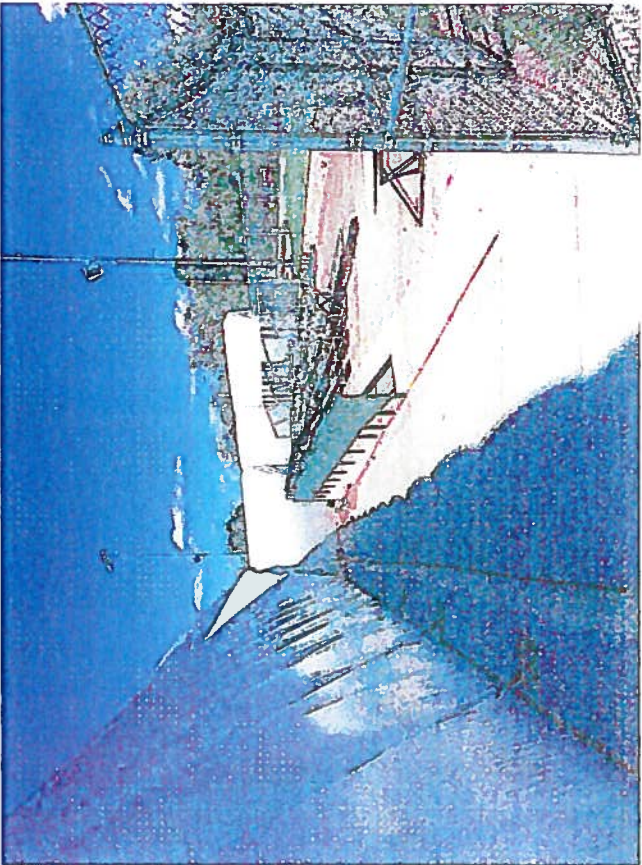
West side exit door and path, grandstand building to the right



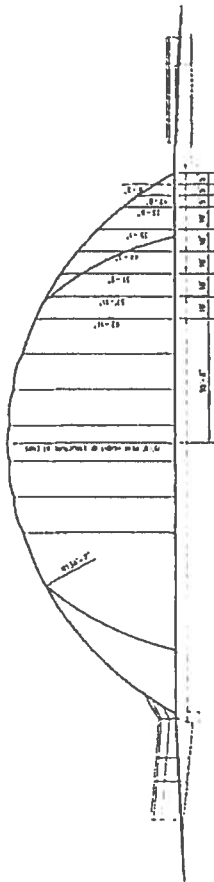
West side, grandstand building in front



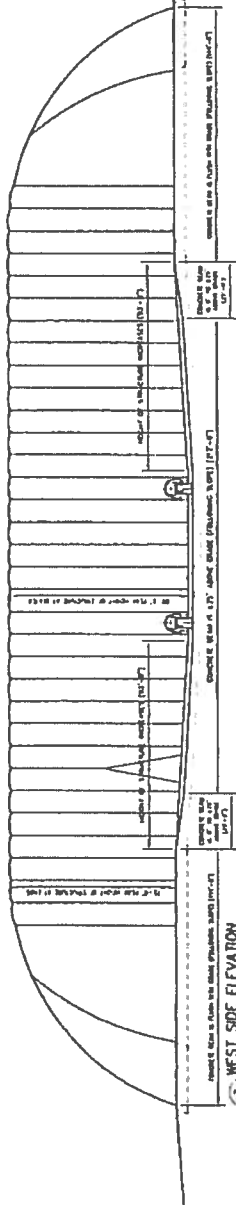
South elevation



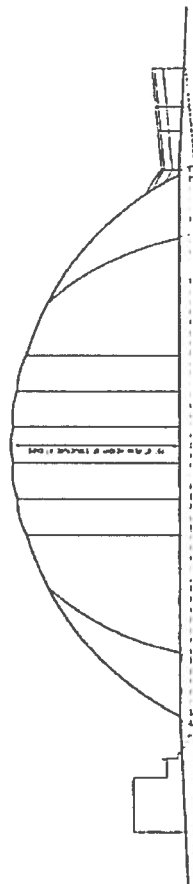
Typical sidewalk at dome perimeter



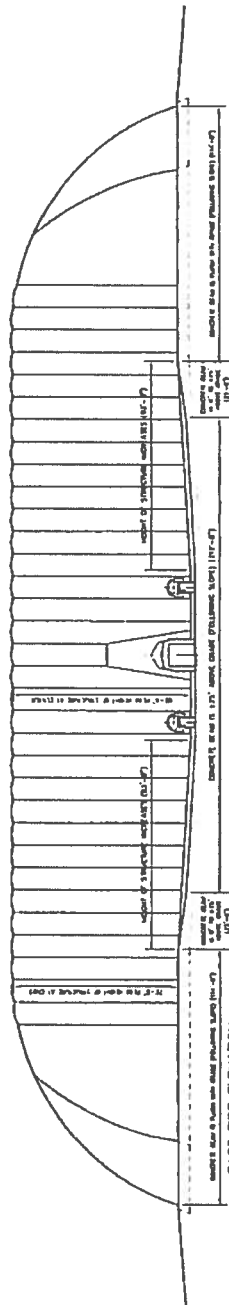
NORTH END ELEVATION
1/24"=1'-0"



WEST SIDE ELEVATION
1/24"=1'-0"



SOUTH END ELEVATION
1/24"=1'-0"



EAST SIDE ELEVATION
1/24"=1'-0"

<p>1. PROJECT NAME: USOC MEMORIAL PARK VELODROME</p> <p>2. PROJECT LOCATION: 700 SOUTH UNION BLVD, CO SPRING, CO 80906</p> <p>3. PROJECT OWNER: USOC</p> <p>4. PROJECT ARCHITECT: S. S. S. ARCHITECTS, P.C.</p> <p>5. PROJECT ENGINEER: S. S. S. ARCHITECTS, P.C.</p> <p>6. PROJECT DATE: 10/20/08</p> <p>7. PROJECT SCALE: 1/24"=1'-0"</p> <p>8. PROJECT SHEET: 18-015</p> <p>9. PROJECT REV: 01</p>		<p>10. PROJECT DESCRIPTION: AIR SUPPORTED STRUCTURE FOR MULTIPLE USES (241'-0" x 750'-0" x 75'-0")</p> <p>11. PROJECT ELEVATIONS: 700 SOUTH UNION BLVD, CO SPRING, CO 80906</p> <p>12. PROJECT ELEVATIONS: 700 SOUTH UNION BLVD, CO SPRING, CO 80906</p> <p>13. PROJECT ELEVATIONS: 700 SOUTH UNION BLVD, CO SPRING, CO 80906</p> <p>14. PROJECT ELEVATIONS: 700 SOUTH UNION BLVD, CO SPRING, CO 80906</p> <p>15. PROJECT ELEVATIONS: 700 SOUTH UNION BLVD, CO SPRING, CO 80906</p> <p>16. PROJECT ELEVATIONS: 700 SOUTH UNION BLVD, CO SPRING, CO 80906</p> <p>17. PROJECT ELEVATIONS: 700 SOUTH UNION BLVD, CO SPRING, CO 80906</p> <p>18. PROJECT ELEVATIONS: 700 SOUTH UNION BLVD, CO SPRING, CO 80906</p> <p>19. PROJECT ELEVATIONS: 700 SOUTH UNION BLVD, CO SPRING, CO 80906</p> <p>20. PROJECT ELEVATIONS: 700 SOUTH UNION BLVD, CO SPRING, CO 80906</p>
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Meeting Minutes

By:	Mira Theisen	Date:	April 3, 2018 R1
Meeting Date:	March 22, 2018	Project Name:	USOC Velodrome Change of Occupancy
Meeting Time:	3 pm	Project Number:	221809
Meeting Location:	PPRBD Bighorn Conf Room	Attendees:	See below
Next Meeting Date:	TBD	Cc:	Attendees

Attendees

Name	Affiliation	Email
Mira Theisen (MT)	Perkins + Will	mira.theisen@perkinswill.com
Saeng Mallek (SM)	USOC Facilities	saeng.mallek@usoc.org
Jay Eenhuis (JE)	Deputy Building Official Plan Rev	jay@pprbd.org
Bert Warchol (BW)	Chief Building Inspector	bertw@pprbd.org
John Welton (JW)	Deputy Building Official Const	john@pprbd.org
Dan McCully (DM)	Construction Plans Examiner	danm@pprbd.org
Shelby Erickson (SE)	Sen Plans Examiner - MEP	shelby@pprbd.org

Discussion

Item No.	Description	Responsibility	Status
	Change of Occupancy requirements from A-5 (outdoor, temporary) to A-4 (permanent building) was discussed.		
01	Jay can support the Allowable Area variance since only 8% of the total perimeter of the Velodrome is affected by the adjacent grandstand building	MT	
02	Jay can support the Maximum Height variance requested.	MT	
03	John stated that if the proposed added accessible rest room toilet will be counted towards the Women's toilet count then minimum requirements will be met and no variance is required on this item.	MT	
04	Fire Sprinkler exception was discussed. The IBC contains an exception for A-4 indoor sports occupancies, but the IFC does not contain the same variance. For resolution contact Chip and go through the Fire Board first. If the Fire Board approves the variance Building can also approve it.	MT	

Item No.	Description	Responsibility	Status
05	John cautioned that there may be an issue with the force required to open the existing emergency exit doors relative to ADA. Recommends addressing this with Fire as well.	MT	
06	Fire alarms can be installed in the dome. Automatic notification is required. No variance is planned for this item since USOC will install the alarms. The alarm will notify USOC security first (24 hour monitored) and then USOC notifies CS Fire. This is how the main campus is currently set up.	MT	
07	Shelby stated that he would like to review the existing LED replacement lighting install. SO cable cannot remain, can be changed to MC Cable. Existing lighting panels have plug-in type cords due to the temporary nature permitted previously, these connections would need to be permanent if the building was classified a permanent structure. Shelby indicated that the design electrical engineer could call him with any questions if the project moves forward after the variance review process.	MT	
08	Dan (U if I grad!) asked about a travel distance issue to the existing emergency doors. Documents need to show the travel path and distance, discussed showing the path from the furthest point on the track, including the steep track slope. If the path exceeds 200 feet a variance could be supported using the reasoning that a person cannot stand on that portion of the slope, and it should therefore be excluded from the path length. Adding exits is technically infeasible given existing conditions.	MT	
09	The group agreed that the ADA exterior improvements including parking spaces and improved accessible paths to the nearest west side emergency exit doors was necessary. Added ADA accessible rest room is also required. 20% cost rule will apply to ADA upgrades.	MT	
10	Reiterated that non-training uses in the Dome will be by Special Use permit only. Occupancy for Standard Use will not exceed 299 occupants. Standard training use does not exceed 40-45 occupants and is usually around 20-25 occupants per Saeng.	Info	
11	IECC – use 2009 building code for application. Dome was designed under 2009 codes and per the manufacturer's earlier statements should meet 2009 IECC requirements. Saeng will contact The Farley Group for a report showing 2009 IECC compliance.	SM	
	End of minutes		

The foregoing constitutes our understanding of matters discussed and conclusions reached. Other participants are requested to review these items and advise the originator in writing of any errors or omissions.

Taylor, Wyman L

From: Jay Eenhuis <jay@pprbd.org>
Sent: Thursday, April 26, 2018 7:38 AM
To: Taylor, Wyman L
Subject: RE: Velodrome Variance Request
Attachments: 18-0322_USOC Velodrome Meeting Minutes R1.pdf

Good morning Chip,

I think what USOC is trying to do is cover all the bases, both with CSFD and PPRBD. Because the exception exists in the IBC, but not the IFC, we have a path to get them out of sprinklers in the participant sport area, but Fire doesn't have that same option. In our opinion, the entire space within the dome is for participants/coaches, thus meeting this exception. I have attached the meeting minutes from the latest discussion with USOC and Perkins Will for your reference. Item 04 shows a quick summary of the discussion and the plan is to have the fire board variance in hand when they show up for any building variance needed. Do you know of any other air inflated, cable restrained structures that have sprinkler systems? I'm curious how that would be installed on a flexible structure such as this. Let me know if you need additional information.

Thank you,

Jay Eenhuis, P.E.
Deputy Building Official - Plans
Pikes Peak Regional Building Department
O: 719-327-2910 E: jay@pprbd.org W: pprbd.org



From: Taylor, Wyman L (<mailto:wtaylor@springsgov.com>)
Sent: Wednesday, April 25, 2018 3:27 PM
To: Jay Eenhuis <jay@pprbd.org>
Subject: Velodrome Variance Request

Jay,

A Fire Board of Appeals variance request has been submitted by Perkins Will to eliminate the sprinkler requirement for this project. The 2009 edition of IBC section 507.3 Exception 2 allows the omission of fire sprinklers for A-4 occupancies, but if you read the commentary on this section the sprinkler omission is only for the "participant sport area" only; all other areas are required to be equipped with fire sprinkler protection. Based on the commentary, would this variance need to go through PPRBD instead of the Fire Board? The 2009 IFC section 903.2.1.4 requires a fire sprinkler system in A-4 occupancies and there is no exceptions to match those found in the IBC or the IFC commentary.

Is changing from an A-5 to an A-4 a change of occupancy? The IFC section on existing buildings is much more lenient than the requirements would be for a change of occupancy that is why I'm asking.

If this variance request needs to go through the Fire Board, then I have to have a staff summary prepared by end of day tomorrow. Can you please let me know ASAP if this variance needs to go through PPRBD instead?

Thanks for your help on this matter.

Chip Taylor

Fire Protection Engineer I
Office of the Fire Marshal
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